

आयकर अपीलीय अधिकरण, चण्डीगढ़ न्यायपीठ, चण्डीगढ़
IN THE INCOME TAX APPELLATE TRIBUNAL
DIVISION BENCH, 'B', CHANDIGARH

BEFORE SHRI RAJPAL YADAV, VICE PRESIDENT &
SHRI KRINWANT SAHAY, ACCOUNTANT MEMBER

आयकर अपील सं./ ITA No. 673/CHD/2024

निर्धारण वर्ष / Assessment Year : 2017-18

Hukam Singh Negi, Village Sungra Nichar, Kinnaur 172115	Vs. बनाम	ITO, Rampur, Himachal Pradesh
स्थायी लेखा सं./PAN No: ABUPN3680Q		
अपीलार्थी/Appellant		प्रत्यर्थी/Respondent

(Physical Hearing)

निर्धारिती की ओर से/Assessee by : Sh. M.R. Sharma, Advocate
राजस्व की ओर से/ Revenue by : Sh. Vivek Vardhan, JCIT, Sr.DR

सुनवाई की तारीख/Date of Hearing : 27.11.2024

उदघोषणा की तारीख/Date of Pronouncement : 28.11.2024

आदेश/Order

Per Rajpal Yadav VP:

The present appeal is directed at the instance of the Assessee against the order of Id. Addl./JCIT(A)-7, Kolkata dated 19.4.2024 passed for A.Y. 2017-18.

2. The grievance of the Assessee is that the Id. CIT(A) erred in confirming the addition of Rs. 3,13,000/- which was added by the Assessing Officer with the aid of section 68 of the Income Tax Act, 1961 (in short 'the Act').

3. With the assistance of ld. representatives, we have gone through the record carefully. A perusal of the assessment order would indicate that Assessing Officer has noticed that Assessee deposited Rs. 2,56,500/- in his saving bank account with HP State Co-operative Bank Ltd., Bhahanagar. Similarly, he found that a sum of Rs. 56,500/- was deposited in the saving bank account with Punjab National Bank. The Assessing Officer was of the view that these deposits were made during the demonetization period, then this be treated as unexplained money of the Assessee.

4. Appeal to the ld. CIT(A) did not bring any relief because the ld. CIT(A) has dismissed the appeal for want of prosecution.

5. After going through record carefully, we are of the view that this addition is not sustainable because a small sum of Rs. 3,13,000/- can be a past accumulation in the family. Once currency of denomination of Rs. 1000 and Rs. 500 were discontinued, then currency of these denomination available in the house is to be deposited in the bank, therefore, such a small amount cannot be considered as unexplained.

6. We allow the appeal and delete the addition.

Order pronounced on 28.11.2024

Sd/-
(**KRINWANT SAHAY**)
Accountant Member

Sd/-
(**RAJPAL YADAV**)
Vice President

“आर.के.”

आदेश की प्रतिलिपि अग्रेषित / Copy of the order forwarded to :

1. अपीलार्थी/ The Appellant
2. प्रत्यर्थी/ The Respondent
3. आयकर आयुक्त/ CIT
4. विभागीय प्रतिनिधि, आयकर अपीलीय आधिकरण, चण्डीगढ़/ DR, ITAT,
CHANDIGARH
5. गार्ड फाईल/ Guard File

आदेशानुसार/ By order,
सहायक पंजीकार/ Assistant Registrar