

**IN THE INCOME TAX APPELLATE TRIBUNAL  
DELHI BENCH 'SMC' NEW DELHI**

**BEFORE SHRI SATBEER SINGH GODARA, JUDICIAL MEMBER**

**ITA No. 3119/Del/2024**  
**Assessment Year: 2017-18**

Nikhil Bansal, 14-B, Peeth Bazar, New Mandi, Muzaffarnagar-251001 <b>PAN: AMHPB 6038 Q</b>	<u>Vs</u>	Income-tax Officer, Ward-3(2)(1), Delhi.
<b>APPELLANT</b>		<b>RESPONDENT</b>
<b>Assessee represented by</b>	<b>Shri Ankit Gupta, Adv.</b>	
<b>Department represented by</b>	<b>Shri Yogesh Sharma, Sr. DR</b>	
<b>Date of hearing</b>	<b>07.11.2024</b>	
<b>Date of pronouncement</b>	<b>29.11.2024</b>	

**ORDER**

**PER SATBEER SINGH GODARA, JM:**

This assessee's appeal for assessment year 2017-18 arises against National Faceless Appeal Centre (NFAC), Delhi's DIN and order no. ITBA/NFAC/S/250/2024-25/1065143731(1), dated 27.05.2024, in case no. CIT(A), Muzaffarnagar/10196/2019-20, in proceedings u/s 143(3) of the Income-tax Act, 1961, hereinafter referred to as the 'Act'.

Heard both the parties at length. Case file perused.

2. It transpires during the course of hearing that both the learned lower authorities section 69A unexplained cash deposit addition of Rs. 7,72,000/- in the assessment dated 29.12.2019 has upheld in the lower appellate findings.

3. I have given my thoughtful consideration to vehement rival stand against and in support of the impugned addition. The assessee's stand all along is that he had, inter alia, withdrawn Rs. 2 lakhs on 19.05.2015; Rs. 3 lakhs on 21.05.2015; and Rs. 3 lakhs on 15.6.2016. Learned counsel could hardly dispute that the impugned cash deposits had been made during demonetization and it could not be presumed on mere assessee's asking that he had not spend even a single penny out of the said withdrawal of Rs. 8 lakhs. The fact also remains that the Revenue has also not quoted any material against the assessee or any inquiry that he did not have past savings and accumulated balance from past savings keeping in mind the social economic status. Faced with this situation, it is deemed appropriate in the larger interest of justice to restrict the impugned addition to a lump sum amount of Rs. 2.5 lakhs with a rider that the same shall not be treated as a precedent. The assessee gets a relief of Rs. 5.22 lakhs in other words. Necessary computation shall follow as per law.

4. This assessee's appeal is partly allowed in above terms.

Order pronounced in open court on 29.11.2024.

**Sd/-**  
**(SATBEER SINGH GODARA)**  
**JUDICIAL MEMBER**

\*MP\*

Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. CIT(Appeals)
5. DR: ITAT

ASSISTANT REGISTRAR  
ITAT, NEW DELHI

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