

**IN THE INCOME TAX APPELLATE TRIBUNAL,  
DELHI BENCH: 'E' NEW DELHI**

**BEFORE SHRI SATBEER SINGH GODARA, JUDICIAL MEMBER  
AND  
SHRI M. BALAGANESH, ACCOUNTANT MEMBER**

ITA No.3559/Del/2024  
Assessment Year: 2016-17

Sh. Neeraj Aggarwal, RZ-227B, Sadh Nagar, Gali No. 6, Palam Colony, New Delhi	<b>Vs.</b>	ACIT, Central Circle-17, New Delhi
<b>PAN :AFNPA1136K</b>		
<b>(Appellant)</b>		<b>(Respondent)</b>

Assessee by	None
Department by	Sh. B.S. Anand, Sr. DR

Date of hearing	27.11.2024
Date of pronouncement	04.12.2024

**ORDER**

**PER SATBEER SINGH GODARA, JM**

This assessee's appeal for assessment year 2016-17 is directed against the Commissioner of Income Tax (Appeals)-31 [in short, the "CIT(A)"], New Delhi's order dated 10.06.2024 passed in case no. CIT(A), Delhi-31/10297/2019-20, involving proceedings under sections 143(3) of the Income-tax Act, 1961 (hereinafter referred to as 'the Act').

2. Case called twice. None appears at the assessee's behest. We accordingly proceeded *ex-parte* against the assessee.

3. Learned Departmental Representative vehemently argues that both the lower authorities have rightly made section 69C addition of unexplained interest expenditure amounting to Rs.5,65,000/- in assessee's hands going by the documents found/seized during the course of search/survey operation dated 09.09.2015.

4. Mr. Anand, learned Sr. DR, further takes us to the assessment discussion dated 29.12.2017 at page 2 in para 2 that learned Assessing Officer herein had adopted the corresponding figures of the assessee's interest payment only for the purpose of making the impugned addition, which deserve to be sustained herein.

5. We have given our thoughtful consideration to the Revenue's foregoing vehement contentions and see no reason to sustain the impugned addition. This is for the precise reason that contents of the seized documents extracted in the assessment order nowhere throw any light on the corresponding details of the impugned

interest expenditure nor they have been substantiated during the course of scrutiny.

6. Faced with this situation, we quote Commissioner of Income Tax vs Shri Girish Chaudhary (2008) 296 ITR 619 (Del) to conclude that the impugned addition based on the foregoing dumb document is not sustainable. The same stands deleted. Ordered accordingly.

7. This assessee's appeal is allowed in above terms.

***Order pronounced in the open court on 4<sup>th</sup> December, 2024***

***Sd/-***  
**(M. BALAGANESH)**  
**ACCOUNTANT MEMBER**

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

Dated: 4<sup>th</sup> December, 2024.

RK/-

Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. CIT(A)
5. DR

Asst. Registrar, ITAT, New Delhi