

आयकर अपीलीय अधिकरण 'बी' न्यायपीठ चेन्नई में।
IN THE INCOME TAX APPELLATE TRIBUNAL
'B' BENCH, CHENNAI

मजनीय श्री मनोज कुमार अग्रवाल, लेखक सदस्य एवं
मजनीय श्री मनु कुमार गिरि, न्यायिक सदस्य के समक्ष।
BEFORE HON'BLE SHRI MANOJ KUMAR AGGARWAL, AM
AND HON'BLE SHRI MANU KUMAR GIRI, JM

आयकर अपील सं. ITA No.2439/Chny/2024
(निर्धारणवर्ष / Assessment Year: 2017-18)

Shri Sundarrajan Venkateshkumar C/o K Ramesh, # 3/65 II, Tirunagar Colony Karuveppampatti P.O., Tiruchengode TK Namakkal Dist. PIN: 637 304.	बनम/ Vs.	ITO Ward-2, Tiruchengode.
स्थायी लेखासं./जीआइआरसं./PAN/GIR No. AGUPV-7438-F		
(अपीलार्थी/ Appellant)	:	(प्रत्यर्थी / Respondent)

अपीलार्थी की ओरसे/ Appellant by	:	Shri T.S. Lakshmi Venkatraman (FCA) - Ld.AR
प्रत्यर्थी की ओरसे/ Respondent by	:	Ms.T.M. Suganthamala (Addl.CIT) - Ld. Sr. DR

सुनवाई की तारीख/ Date of Hearing	:	12-12-2024
घोषणा की तारीख / Date of Pronouncement	:	12-12-2024

आदेश / ORDER

Manoj Kumar Aggarwal (Accountant Member)

1. Aforesaid appeal by assessee for Assessment Year (AY) 2017-18 arises out of the order passed by Learned Commissioner of Income Tax (Appeals), National Faceless Appeal Centre (NFAC), Delhi [CIT(A)] on 28-08-2024 in the matter of an assessment framed by Ld. Assessing Officer [AO] on best judgment basis u/s 144 of the Act on 30-11-2019. The sole grievance of the assessee is confirmation of addition of

Rs.13.39 Lacs. Having heard rival submissions, the appeal is disposed-off as under.

2. During assessment proceedings, it transpired that the assessee deposited cash of Rs.13.39 Lacs in his bank account during demonetization period. It was ascertained that the assessee worked as contractor. Since the assessee failed to establish the source of cash deposit, the same was added to the income of the assessee. The assessee offered income on presumptive basis @8% of total turnover of Rs.74.26 Lacs.

3. The Ld. CIT(A) noted that the amount of cash deposit of Rs.13.39 Lacs was not included in the total turnover. Accordingly, the addition was confirmed. Aggrieved, the assessee is in further appeal before us. The Ld. AR has pleaded for reasonable estimation of income on cash deposit which has been opposed by revenue.

4. It is undisputed fact that the assessee is engaged as contractor and its only source of income is business receipts. Though the assessee contended that the deposits were sourced out of contractual receipts, however, he could not establish the same. Under these circumstances, we estimate income of 25% on impugned deposit of Rs.13.39 Lacs which comes to Rs.3,34,750/-. The impugned addition stand restricted to that extent. The corresponding grounds stand partly allowed.

5. Ld. AR has also stated that the assessee is eligible for deduction under Chapter VIA for Rs.1.50 Lacs. We direct Ld. AO to consider the same. The assessee is directed to file supporting documents.

6. The appeal stand partly allowed.

Order pronounced in open court on 12th December, 2024.

Sd/-
(MANU KUMAR GIRI)
न्यायिक सदस्य / JUDICIAL MEMBER

Sd/-
(MANOJ KUMAR AGGARWAL)
लेखक सदस्य / ACCOUNTANT MEMBER

चेन्नई Chennai; दिनांक Dated : 12 -12-2024
DS

आदेशकीप्रतिलिपिअग्रेषित/Copy of the Order forwarded to :

1. अपीलार्थी/Appellant
2. प्रत्यर्थी/Respondent
3. आयकरआयुक्त/CIT Salem.
4. विभागीयप्रतिनिधि/DR
5. गार्डफाईल/GF