

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

**माननीय श्री मनोज कुमार अग्रवाल, लेखा सदस्य एवं
माननीय श्री मनु कुमार गिरि, न्यायिक सदस्य के समक्ष।
BEFORE HON'BLE SHRI MANOJ KUMAR AGGARWAL, ACCOUNTANT MEMBER
AND HON'BLE SHRI MANU KUMAR GIRI, JUDICIAL MEMBER**

**आयकर अपील सं./ ITA No.2490/Chny/2024
(निर्धारणवर्ष / Assessment Year: 2017-2018)**

Sabapathi Ramesh,
No.141, Madha Koil Street,
Ganesapuram, Trichy Road,
Namakkal 637 001.

Vs. The Income Tax Officer,
Ward 1,
Namakkal.

[PAN: ALTPR 3751P]

(अपीलार्थी/Appellant)

(प्रत्यर्थी/Respondent)

अपीलार्थी की ओर से/ Appellant by

: Shri T.S.Lakshmi Venkatraman, C.A.,

प्रत्यर्थी की ओर से /Respondent by

: Ms T.M.Suganthamala, IRS, Addl.CIT.

सुनवाई की तारीख/Date of Hearing

: 12.12.2024

घोषणा की तारीख /Date of Pronouncement

: 12.12.2024

आदेश / ORDER

PER MANU KUMAR GIRI (Judicial Member)

This appeal filed by the assessee is directed against the order of the National Faceless Appeal Centre (NFAC), DELHI [CIT(A)] dated 28.08.2024 for Assessment Year 2017-18.

2. The Assessee filed return of income for the AY 2017-18 admitting an income of Rs.3,96,920/-. The case has been selected for complete scrutiny under CASS in order to verify 'cash deposits during demonetisation period'. The AO completed assessment u/s 143(3) of the Income Tax Act, 1961 ('Act' in short) and made addition of Rs.14,27,883/- as unexplained money u/s.69A r.w.s 115BBE of the

Act. Aggrieved assessee preferred an appeal before the Id.CIT(A), who dismissed the appeal of assessee on merits, although assessee failed to appear before the Id.CIT(A) despite notices. Assessee is in further appeal before us.

3. The sole grievance of the assessee before us is confirmation of addition of Rs.14,27,883/- as unexplained money u/s.69A r.w.s 115BBE of the Act. The Id.AR has pleaded for reasonable estimation of income on cash deposits which has opposed by the revenue.

4. It is undisputed fact that the assessee is engaged in the retail trading business in the name and style M/s Sri Muruga Agencies and only source of income is business receipt. Though the assessee contended that the deposits were sourced out of retail Trading Business, however, he could not establish the same. Under these circumstances, we estimate income of 25% on impugned deposits of Rs.14,43,500/- which comes to Rs.3,60,875/-. The impugned addition stands restricted to that extent. The AO is also directed to consider deduction under Section 80C of the Act. The corresponding grounds stand partly allowed.

5. In the result, appeal filed by the assessee is partly allowed.

(मनोज कुमार अग्रवाल)
(MANOJ KUMAR AGGARWAL)

(मनु कुमार गिरि)
(MANU KUMAR GIRI)

लेखा सदस्य / ACCOUNTANT MEMBER न्यायिक सदस्य / JUDICIAL MEMBER

चेन्नई Chennai:

दिनांक Dated : 12-12-2024

KV

आदेश की प्रतिलिपि अग्रेषित /Copy to :

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