

**IN THE INCOME TAX APPELLATE TRIBUNAL,
DELHI (SMC) BENCH, NEW DELHI**

BEFORESHRI SATBEER SINGH GODARA, JUDICIAL MEMBER

ITA No.3737/Del/2024
Assessment Year: 2017-18

Rajender Singh, S/o Sh. Amir Singh, VPO, Gwalison, Tehsil & Distt. Jhajjar, Jhajjar, Haryana	Vs.	Income-tax Officer, Ward-5, Rohtak.
PAN : BBNPR8043P		
(Appellant)		(Respondent)

Assessee by	Sh. Navin Gupta, Advocate
Department by	Sh. Sahil Kumar Bansal, Sr. DR

Date of hearing	23.12.2024
Date of pronouncement	23.12.2024

ORDER

This assessee's appeal for assessment year 2017-18, arises against the Commissioner of Income Tax (Appeals)-National Faceless Appeal Centre [in short, the "CIT(A)-NFAC"], Delhi's DIN and order no. ITBA/NFAC/S/250/2024-25/1066022910(1) dated 25.06.2024 involving proceedings under section 144 of the Income-tax Act, 1961 (hereinafter referred to as 'the Act').

2. Heard both the parties at length. Case file perused.
3. It emerges during the course of hearing that both the learned lower authorities have invoked section 68/69 read with sec.

115BBE for addition of Rs.12,94,200/- representing the assessee's cash deposits made in his KCC account.

4. The clinching fact which emerges during the course of hearing is that the assessee herein was already having a debit balance of the very amount in his KCC account, which was deposited in the relevant previous year. This tribunal is of the considered view that in the given facts of the case, impugned cash deposits would be very well held to be KCC loan amount itself and therefore, the addition made herein is not sustainable in law which stands deleted in very terms.

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

Order pronounced in the open court on 23rd December, 2024

Sd/-
(SATBEER SINGH GODARA)
JUDICIAL MEMBER

Dated: 23 December, 2024.

*aks/-

Copy forwarded to:

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

Asst. Registrar, ITAT, New Delhi