

आयकर अपीलीय अधिकरण, 'ए' न्यायपीठ, चेन्नई
IN THE INCOME-TAX APPELLATE TRIBUNAL 'A' BENCH, CHENNAI
श्री एस.एस. विश्वनेत्र रवि, न्यायिक सदस्य एवं श्री मनोज कुमार अग्रवाल, लेखा सदस्य के समक्ष ।
Before Shri S.S. Viswanethra Ravi, Judicial Member &
Shri Manoj Kumar Aggarwal, Accountant Member

आयकर अपील सं./I.T.A. No.2548/Chny/2024
निर्धारण वर्ष/Assessment Year: 2017-18

Mrs. Sindhu,
G 5, Lloyds Colony, Royapettah,
Chennai 600 014.

Vs. Income Tax Officer,
Ward 4,
Virudhunagar.

[PAN:FRQPS1612J]

(अपीलार्थी/Appellant)

(प्रत्यर्थी/Respondent)

अपीलार्थी की ओर से / Appellant by : Shri R.K.V. Sundar, Advocate
प्रत्यर्थी की ओर से/Respondent by : Shri R. Raghupathy, Addl. CIT
सुनवाई की तारीख/ Date of hearing : 17.12.2024
घोषणा की तारीख /Date of Pronouncement : 31.12.2024

आदेश /O R D E R

PER S.S. VISWANETHRA RAVI, JUDICIAL MEMBER:

This appeal by the assessee is directed against the order dated 05.01.2024 passed by the Id. Commissioner of Income Tax (Appeals), National Faceless Appeal Centre [NFAC], Delhi for the assessment year 2017-18.

2. We find that this appeal is filed with a delay of 210 days. The assessee filed an affidavit for condonation of delay explaining reasons for the said delay and prayed for condonation of that delay. On perusal

of the condonation petition and upon hearing both the parties, we find that the reasons explained by the assessee are bonafide and therefore, the delay is condoned and admitted the appeal for adjudication.

3. At the outset, we note that the Assessing Officer found the assessee credited ₹.37,50,000/- during the demonetization period. It was explained that the said deposits were made out of the amounts received from friends and relatives. On verification of the details furnished by the assessee, the Assessing Officer found that the confirmations from the parties were not supported with identity, credit worthiness and mode of receipts. In the absence of the above details, the Assessing Officer treated the deposits of ₹.37,50,000/- as unexplained money owned by the assessee and brought to tax under section 69A of the Income Tax Act, 1961 ["Act" in short]. The Id. CIT(A) dismissed the appeal since there was no response to the notices issued to the assessee.

4. The Id. AR Shri R.K.V. Sundar, Advocate submits that due to circumstances beyond her control, the assessee was unable to furnish reply to the notices issued by the Id. CIT(A). He further submits that the

assessee has furnished confirmation letters from the creditors with full address before the Assessing Officer and prayed that the addition may be deleted.

5. The Id. DR Shri R. Raghupathy, Addl. CIT submits that the assessee failed to furnish identity, credit worthiness and genuineness of the creditors and pleaded that the appeal may be dismissed.

6. Heard both the parties and perused the material on record. From page 2 of the assessment order, we note that the assessee furnished filed reply through e-responses on various dates by stating that the deposits were made out of the amounts received from friends and relatives and in support of the same, copies of bank accounts statements, confirmation from creditors, etc. were filed. Before us, the Id. AR also contended that the assessee furnished confirmations with full address of the creditors during the course of assessment proceedings. However, the Assessing Officer held that the confirmations from the parties were not supported with identity, credit worthiness, genuineness, mode of receipts, etc. could not be verified with the books of accounts, bank account statements and other details. Under the above facts and circumstances of the case, we deem it

proper to remand the matter to the file of the Assessing Officer for verification and decide the issue afresh in accordance with law. The assessee is at liberty to furnish evidences, if any, to substantiate her claim before the Assessing Officer. Thus, the grounds raised by the assessee are allowed for statistical purposes.

7. In the result, the appeal filed by the assessee is allowed for statistical purposes.

Order pronounced on 31st December, 2024 at Chennai.

Sd/-
(MANOJ KUMAR AGGARWAL)
ACCOUNTANT MEMBER

Sd/-
(S.S. VISWANETHRA RAVI)
JUDICIAL MEMBER

Chennai, Dated, 31.12.2024

Vm/-

आदेश की प्रतिलिपि अग्रेषित/Copy to:

1. अपीलार्थी/Appellant,
2. प्रत्यर्थी/ Respondent,
3. आयकर आयुक्त/CIT, Chennai/Madurai/Coimbatore/Salem
4. विभागीय प्रतिनिधि/DR &
5. गार्ड फाईल/GF.