

आयकर अपीलीय अधिकरण “ए” न्यायपीठ चेन्नई में।
IN THE INCOME TAX APPELLATE TRIBUNAL
“A” BENCH, CHENNAI

माननीय श्री एबी टी. वर्की, न्यायिक सदस्य एवं
माननीय श्री मनोज कुमार अग्रवाल, लेखक सदस्य के समक्ष।
BEFORE HON’BLE SHRI ABY T. VARKEY, JM AND
HON’BLE SHRI MANOJ KUMAR AGGARWAL, AM

आयकर अपील सं. ITA No.2279/Chny/2024
(निर्धारणवर्ष / Assessment Year: 2011-12)

Shri Balakrishnan Ramanathan 17, Canal Street, Gobichettipalayam-638 452.	बनाम/ Vs.	ITO Ward-2(1), Erode.
स्थायी लेखासं./जी आइ आर सं./PAN/GIR No. AEGPR-4674-H		
(अपीलार्थी/ Appellant)	:	(प्रत्यर्थी / Respondent)

अपीलार्थीकी ओरसे/ Appellant by	:	Shri N. Arjun Raj (Advocate) - Ld.AR
प्रत्यर्थीकी ओरसे/ Respondent by	:	Shri Ashwin D.Gowda (Addl.CIT) - Ld. Sr. DR

सुनवाईकी तारीख/ Date of Hearing	:	27-01-2025
घोषणाकी तारीख / Date of Pronouncement	:	03-02-2025

आदेश / ORDER

Manoj Kumar Aggarwal (Accountant Member)

1. Aforesaid appeal by assessee for Assessment Year (AY) 2011-12 arises out of the order of learned Addl. / Joint Commissioner of Income Tax (Appeals)-8, Delhi [CIT(A)] dated 25-06-2024 in the matter of an assessment framed by the Ld. AO u/s 143(3) r.w.s. 147 of the Act on 10-10-2019. The registry has noted delay of 5 days in the appeal which stands condoned.
2. Upon perusal of assessment order, it could be seen that the assessee did not file its return of income. Since the assessee deposited

cash in savings bank account, the case was reopened wherein the assessee was directed to substantiate the source of the same. The assessee admitted salary income of Rs.1.20 Lacs. The assessee stated that the cash deposits in ICICI Bank Account and other Savings Bank Account relates to HUF Account who was doing textile business and petrol bunk business in the name of B. Ramanathan (HUF). The transactions in the bank accounts were stated to be accounted for in the hands of HUF. The assessee also stated that the bank mentioned PAN of individual assessee instead of PAN of HUF. Since the requisite details were not forthcoming from the assessee, Ld. AO rejected the same and estimated income of 8% against total cash deposits and framed the assessment. The Ld. CIT(A) confirmed the same for want of sufficient documentary evidences from the assessee, in that regard. Aggrieved, the assessee is in further appeal before us.

3. The Ld. AR placed on record a paper-book which contains return of income and computation of income of HUF for this year. The financial statements as well as tax audit report of HUF has also been placed on record along-with summary of closing bank balances. The Ld. AR also stated that similar addition was made by Ld. AO in the hands of the individual-assessee for AY 2017-18 which was deleted by Ld. CIT(A) vide order dated 18-12-2024 by accepting the similar explanation of the assessee. We are of the view that all these documents would be vital to strengthen the claim of the assessee. Apparently, the impugned bank transactions have been accounted for in the books of HUF. Therefore, we restore the assessment back to the file of Ld. AO for limited purpose of verification of the said fact. If the said bank account has already been accounted for by HUF, no separate addition would be made in the hands

of the assessee. We order so. No other ground has been urged in the appeal.

4. The appeal stand allowed for statistical purposes.

Order pronounced on 3rd February, 2025

Sd/-
(ABY T. VARKEY)
न्यायिक सदस्य / JUDICIAL MEMBER

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

चेन्नई Chennai; दिनांक Dated :03-02-2025
DS

आदेश की प्रतिलिपि ँ ग्रेषित / Copy of the Order forwarded to :

1. अपीलार्थी/Appellant
2. प्रत्यर्थी/Respondent
3. आयकर आयुक्त/CIT Coimbatore/Madurai/Chennai.
4. विभागीय प्रतिनिधि/DR
5. गार्डफाईल/GF