

**IN THE INCOME TAX APPELLATE TRIBUNAL,
AGRA BENCH, AGRA**

**BEFORE : SHRI SATBEER SINGH GODARA, JUDICIAL MEMBER
AND
SHRI MANOJ KUMAR AGGARWAL, ACCOUNTANT MEMBER**

ITA No. 42/Agr/2023
Assessment Year: 2011-12

Anoop Nigam, Apartment I/3-032, Windsor Hills, Sirol Road, City Centre, Gwalior	Vs.	Income-tax Officer, 3(1), Gwalior.
PAN : ACMPN8306L		
(Appellant)		(Respondent)

Assessee by	Sh. M.M. Agarwal, C.A.
Department by	Sh. Sukesh Kumar Jain, CIT/DR

Date of hearing	11.02.2025
Date of pronouncement	11.02.2025

ORDER

Per Satbeer Singh Godara, Judicial Member:

This assessee's appeal for assessment year 2011-12, 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/250/2022-23/1049491606(1), dated 10.02.2023, involving proceedings under section 147 r.w.s. 143(3) of the Income-tax Act, 1961 (hereinafter referred to as 'the Act').

2. Heard both the parties. Case file perused.

3. Learned counsel submits very fairly that the assessee does not wish to press his legal grounds. Rejected accordingly.
4. Next comes the latter issue on merits wherein both the learned lower authorities have made unexplained investment addition of Rs.3,50,93,000/- on account of purchase of immovable property on 03.03.2011 in assessee's hands. Learned counsel invites our attention to relevant sale deed executed between the parties (at page 31 onwards of the paper book), stating actual purchase price at Rs.30,42,517/- only. This clinching fact has gone un-rebutted from Revenue side in principle. We, thus, see no merit in the impugned addition of Rs.3,50,93,000/-, as this is an instance of extrapolation of the relevant figures only. Faced with this situation, learned counsel refers to assessee's additional evidence as well explaining source of his impugned investment which requires verification at the Assessing Officer's level. We thus, restore the instant limited issue to this extent only back to the Assessing Officer for his factual verification as per law.
5. No other ground or issue has been raised or pressed before us.
6. This assessee's appeal is partly allowed in above terms.

Order pronounced in the open court on 11TH February, 2025.

Sd/-
(MANOJ KUMAR AGGARWAL)
ACCOUNTANT MEMBER

Sd/-
(SATBEER SINGH GODARA)
JUDICIAL MEMBER

Dated: 11TH February, 2025.

*aks/-