

**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.133/Agr/2019
Assessment Year: 2010-11

Shri Naresh Chand Sharma, 1, Mohammadpur, Dahtora, Agra.	Vs.	Income Tax Officer, Ward 1(1)(3), Agra.
PAN : EHLPS6432J		
(Appellant)		(Respondent)

Assessee by	Sh. Deependra Mohan, C.A.
Department by	Sh. Shailendra Shrivastava, Sr. DR

Date of hearing	13.02.2025
Date of pronouncement	13.02.2025

ORDER

Per Satbeer Singh Godara, Judicial Member:

This assessee's appeal for assessment year 2010-11, arises against the Commissioner of Income Tax (Appeals)-1 [in short the "CIT(A)], Agra's order in appeal no. 376229650270118/CIT(A)-1/Agra/ITO-1(1)(3)/Agra/2016-17 dated 25.03.2019, involving proceedings under section 147 r.w.s. 144 of the Income-tax Act, 1961 (hereinafter referred to as 'the Act').

2. Heard both the parties at length. Case file perused.

3. Coming to assessee's sole substantive grievance raised in the instant appeal seeking to reverse both the lower authorities' action treating the entire cash deposits of Rs.27,22,234/- as unexplained, it emerges during the course of hearing from the perusal of the assessee's bank account statement that the peak thereof comes to Rs.1,30,906/- only as on 28.05.2019. The Revenue could hardly dispute that the assessee's bank statement filed herein pertains to the entire relevant accounting period wherein multiple deposits and withdrawals of varying amounts cannot be ruled out. We, therefore, deem it appropriate that the addition of Rs.1,30,906/- of assessee's peak amount in bank account would be sufficient with the rider that this estimation would not be treated as a precedent. Ordered accordingly.

4. No other ground or argument has been pressed.

5. This assessee's appeal is partly allowed.

Order pronounced in the open court on 13THFebruary, 2025.

**Sd/-
(MANOJ KUMAR AGGARWAL)
ACCOUNTANT MEMBER**

**Sd/-
(SATBEER SINGH GODARA)
JUDICIAL MEMBER**

Dated: 13THFebruary, 2025.

*aks/-

Copy forwarded to:

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

Asst. Registrar, ITAT, Agra