

**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.18/Agr/2019
Assessment Year: 2011-12

Shri Amar Singh, A-19A, Krishna Puri, Gali Bhadoria, Agra-282010.	Vs.	Income-tax Officer, Ward 1(2)(2), Agra.
PAN : BKYPS9872H		
(Appellant)		(Respondent)

Assessee by	Sh. Anurag Sinha, Advocate
Department by	Sh. Shailendra Shrivastava, Sr. DR

Date of hearing	17.02.2025
Date of pronouncement	17.02.2025

ORDER

Per Satbeer Singh Godara, Judicial Member:

This assessee's appeal for assessment year 2011-12, arises against the Commissioner of Income Tax (Appeals)-1 [in short the "CIT(A)"], Agra's order in Appeal No. 210/CIT-(A)-I/Agra/ITO-1(2)(2)/Agra/2016-17 dated 22.10.2018, 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. It emerges during the course of hearing with the able assistance coming from both the parties that the learned lower authorities have treated

the assessee's cash deposits of Rs. 37,71,700/- as unexplained cash credits u/s. 68 of the Act, in the course of assessment framed on 07.12.2017 as upheld in the lower appellate discussion.

4. Faced with this situation, our attention was invited to the assessee's bank statement wherein there are total 519 transactions indicating peak balance as on 10.09.2010 to the tune of Rs.1,27,800/- only. This clinching figure has gone un-rebutted from the Revenue side. We, therefore, uphold the impugned addition only to the tune of peak balance amount of Rs.1,27,800/- only and direct the learned Assessing Officer to frame his consequential computation in very terms.

5. This assessee's appeal is partly allowed.

Order pronounced in the open court on 17.02.2025.

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

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

Dated:

*aks/-/Subodh

Copy forwarded to:

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

Asst. Registrar, ITAT, Agra