

IN THE INCOME TAX APPELLATE TRIBUNAL
“SMC” BENCH, AGRA

**BEFORE HON’BLE SHRI SATBEER SINGH GODARA, JM AND
HON’BLE SHRI MANOJ KUMAR AGGARWAL, AM**

आयकरअपील सं. / ITA No.552/Agr/2024
(निर्धारणवर्ष / Assessment Year:2011-12)

Shri Gaurav Kumar 2/116, Namner, Agra.	बनाम/ Vs.	Income-tax Officer, Ward 1(1)(1), Agra.
स्थायीलेखासं./जीआइआरसं./PAN/GIR No. AWIPK-8979-Q		
(अपीलार्थी/Appellant)	:	(प्रत्यर्थी / Respondent)

अपीलार्थीकीओरसे/ Appellant by	:	Sh. Rajni Kant Verma, Adv. – Ld. AR
प्रत्यर्थीकीओरसे/Respondent by	:	Sh. Shailender Shrivastava – Ld. Sr. DR

सुनवाईकीतारीख/Date of Hearing	:	21-02-2025
घोषणाकीतारीख /Date of Pronouncement	:	22.04.2025

आदेश / ORDER

Manoj Kumar Aggarwal (Accountant Member)

1. Aforesaid appeal by assessee for Assessment Year (AY) 2011-12 arises out of an order passed by learned Commissioner of Income Tax (Appeals), NFAC, Delhi [CIT(A)] on 15-10-2024 in the matter of an assessment framed by Ld. Assessing Officer [AO] u/s. 147 r.w.s. 144 of the Act on 30-11-2018. In the assessment order, Ld. AO made addition of unexplained cash deposit for Rs.12.36 Lacs for want of any satisfactory explanation from the assessee. The Ld. CIT(A) confirmed the same against which the assessee is in further appeal before us.

2. From the facts, it emerges that the assessee has filed its return of income on 28-03-2012 declaring interest income of Rs.1.66 Lacs. Apparently, the assessee has disclosed the said bank account in its return of income and it is stated to be engaged in money lending. The

perusal of bank statement would show that the assessee is receiving money and paying money to few persons on various occasions. Under these circumstances, in the absence of any contrary finding, the claim of the assessee is to be accepted on merits. Accordingly, the impugned addition stand deleted which renders legal ground academic in nature.

3. The appeal stand allowed.

Order pronounced u/r 34(4) of Income Tax (Appellate Tribunal) Rules, 1963.

Sd/-

(SATBEER SINGH GODARA)

न्यायिक सदस्य / JUDICIAL MEMBER

Sd/-

(MANOJ KUMAR AGGARWAL)

लेखा सदस्य / ACCOUNTANT MEMBER

Dated: 22.04.2025

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

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

ASSISTANT REGISTRAR

ITAT AGRA