

**IN THE INCOME TAX APPELLATE TRIBUNAL  
“DB” BENCH, AGRA**

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

**ITA No. 23/Agr/2023  
(Assessment Year 2016-17)**

ACIT, Circle 2(1)(1) Room No. 404, Income Tax Office, Circle 2(1)(1) Agra, Uttar Pradesh 282002	Vs.	Nitin Bansal 63/2, Vibhav Nagar, Firozabad, Uttar Pradesh 283203
स्थायीलेखासं./जीआइआरसं./PAN/GIR No:AELPB6071R		
Appellant	..	Respondent

Appellant by :	Sh. Shalender Shrivastava, Sr. DR
Respondent by :	Sh. Pankaj Gargh, Adv.

Date of Hearing	10.02.2025
Date of Pronouncement	10.02.2025

**ORDER**

**PER SATBEER SINGH GODARA, JUDICIAL MEMBER:**

This assessee's appeal for assessment year 2016-16 arises against Commissioner of Income Tax(Appeals)/National Faceless Appeal Centre (in short, the "CIT(A)/NFAC"), Delhi's DIN and Order No. ITBA/NFAC/S/250/2022-23/1048177722(1) dated 22.12.2022, in proceedings u/s 143(3) 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 that there is hardly any need for us to delve with this relevant factual matrix at length. This is for the precise reason that the assessee as stated to have declared an income of Rs.1 crore from various loan transactions which stood duly accepted by the learned Assessing Officer. A perusal of the assessment order dated 29.12.2018 indicates that the Assessing Officer therefore estimated the assessee's unaccounted loan of Rs.1 crore as well as evasion of stamp duty thereupon amounting to Rs.1.60 crore to make twin addition in his hands. Learned CIT(A) lower appellate discussion has reversed both these additions on the ground that there was no material found or seized or unearthed by the Assessing Officer and therefore, it is in this factual backdrop that the Revenue has come up in appeal before the tribunal.

4. We are of the considered view in this backdrop that once there was no corroborative material against the assessee either to have actual invested the addition of Rs. 4 crores in question or the stamp duty thereupon Rs.1.6 crores, as the case may be, the CIT(A) herein has rightly reversed the assessment findings. We thus reject the Revenue's instant substantive ground in very terms.

5. This Revenue's appeal is dismissed.

Order pronounced in the open court on 10.02.2025

Sd/-  
(Manoj Kumar Aggarwal)  
ACCOUNTANT MEMBER

Sd/-  
(Satbeer Singh Godara )  
JUDICIAL MEMBER

Dated 10.02.2025

PS: Rohit/Subodh, Sr. PS