

**आयकर अपीलीय अधिकरण, इंदौर न्यायपीठ, इंदौर**  
**IN THE INCOME TAX APPELLATE TRIBUNAL**  
**INDORE BENCH, INDORE**  
**BEFORE SMT. ANNAPURNA GUPTA, ACCOUNTANT MEMBER**  
**AND**  
**SHRI PARESH M JOSHI, JUDICIAL MEMBER**

**ITA No.528/Ind/2024 (AY: 2017-18)**

Gulabsingh Raghuvanshi (HUF), 85 Kailash Park, Indore <b>(PAN: AAHHG3314A)</b>	<b><u>बनाम/</u></b> Vs.	Income Tax Officer 2(5), Indore
(Appellant)		(Revenue)
Assessee by	Shri Subhash Jain, AR	
Revenue by	Shri Ashish Porwal, Sr. DR	
Date of Hearing	17.04.2025	
Date of Pronouncement	05.05.2025	

**आदेश / O R D E R**

**Per Paresh M Joshi, J.M.:**

This is an appeal filed by the assessee Under Section 253 of the Income Tax Act, 1961 (hereinafter referred to as the "**Act**") for sake of **breivty**) before this Tribunal as and by way of Second appeal under the Act. The assessee is aggrieved by the order bearing Number ITBA/NFAC/S/250/2024-25/1066106127(1) dated 27.06.2024 passed by Ld. CIT(A) u/s 250 of the Act, which is hereinafter referred to as the "**Impugned order**". The relevant Assessment Year is 2017-18 and the corresponding previous year period is from 01.04.2016 to 31.03.2017.

2.

**FACTUAL MATRIX**

2.1 That the return of income was e-filed by the assessee on 10/06/2017 declaring total income of Rs. 3,07,500/- Case was selected for complete scrutiny through CASS for the reason 'Cash deposit during the demonetization period' and first notice u/s 143(2) was issued on 27/09/2018 which was served on the assessee through speed post, fixing hearing of the case on 28/09/2018.

2.2 That Notice u/s 142(1) along with questionnaire was issued on 09/07/2019 fixing date of hearing on 16/07/2019. In compliance to the notices, the assessee filed written replies from time to time. Written replies were filed and documents in support of income shown in return were furnished.

2.3 That During the course of assessment proceedings it is seen that the assessee had deposited cash during the demonetization period in his Bank accounts maintained with as per details given below:-

Date	Andhra Bank A/c No. 275011100000575	Andhra Bank A/c No. 275010100009983	Total
29.11.2016	50,000/-	50,000/-	1,00,000/-
01.12.2016	9,38,000/-	9,00,000/-	18,38,000/-
02.12.2016	5,72,000/-	3,50,000/-	9,22,000/-

		Total	28,60,000/-
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2.4 That the assessee was asked to establish the **source of cash deposits in the above bank accounts during the demonetization period**. In reply the assessee submitted that he had entered into agreement for 35,00,000/- on 16/04/2016 with Shri Ajay Singh Raghuvanshi R/o Ganjbasoda, Distt Vidhisha for purchase of land situated at village Vedan Khedi (Naseedpur). Old Patwari Halka no. 25 vandovast no. 266 block new no. 43. Ganjbasoda Distt Vidisha by paying Rs. 28,50,000/- in cash, with the condition of seller as he will execute the sale deed after receiving remaining Rs. 6.50,000/- Due to disputes among the family members of the seller, the agreement was cancelled and the amount of Rs. 28,50,000/- was returned back on 19/10/2016 with compensation of Rs. 35,000/- The same amount was deposited in the above bank accounts.

2.5 That the assessee was asked to **establish the sources of cash payment of 28,50,000/- made for the purchase of immovable property**. In reply the assessee submitted that he has received repayment of already financed amount to 15 persons along with the interest totaling to 26,09,250/- &

with using cash in hand as on 01/04/2016, he paid Rs. 28,50,000/- for the purchase of immovable property.

2.6. That the replies filed by the assessee was considered by Ld. A.O and was not found legally tenable due to the following reasons:-

a) During the course of assessment proceedings it was seen that the assessee has applied for **PAN on 25/11/2016 i.e after the demonetization period**. So it proves that the assessee had formed the HUF after the start of demonetization period and after the deposit of cash in the bank accounts.

b) No documents in support of formation of HUF has been furnished by the assessee.

c) **After the formation of HUF** the assessee has filed returns of income as per chart given below:-

S.No.	Assessment Year	Date of filing	Returned Income	Form Type
1	2015-16	01.12.2016	2,70,000/-	ITR-2
2	2016-17	01.12.2016	2,95,850/-	ITR-2

That upon perusal of the chart above it is seen that the assessee has filed its return of income for the Assessment Year 2015-16 & 2016-17 on 01/12/2016 i.e. on the day of deposit of cash in the Bank account maintained with Andhra Bank. Since the returns have been filed in ITR-2 form, there are no details regarding the balance sheet, cash-in-hand and other details to establish that the **assessee has given the loans to various other persons and had any cash in hand.**

d) On perusal of the above Bank accounts statements of Andhra Bank no. 275010100009983 & 275011100000575 it is seen that both accounts have been opened on 28/11/2019 & 29/11/2016 itself.

e) That during the course of the assessment proceedings the assessee was asked to produce Shri Ajay Singh Raghuvanshi the seller of the property **but he failed to do so.**

f) That the assessee produced the confirmation of the persons from whom the amount claimed to have been received, on perusal of the confirmation it can be seen that **none of the debtors has capacity to repay the loans, the debtors didn't had any creditworthiness to repay the loans.**

That upon considering the above facts it is crystal clear that the assessee has failed to explain the **source of cash deposit and submitted a so called story to establish his unaccounted income by way of cash deposit in Bank account during the demonetization period.**

2.7 That the Ld. A.O in the above factual back drop has **held that assessee had failed to explain the source of cash deposits in his bank accounts** and treated the amount of Rs.28,60,000/- so deposited in above bank accounts as unexplained money u/s 69A r.w.s. 115 BBE of the Act and added back the said amount to the total returned income of the assessee.

2.8 The Ld. A.O then computed total income of the assessee as under:-

1	Income as per return of income	Rs. 3,07,500/-
2	Addition as discussed in Para 2.4	Rs. 28,60,000/-
3	Total assessed income	Rs. 31,67,500/-

2.9 That the aforesaid assessment order of L:d. A.O bears Number : ITBA/AST/143(3)/2019-20/1022899738(1) and same is dated 23.12.2019, which is hereinafter referred to as the **“Impugned Assessment order”**.

2.10 That the assessee being aggrieved by the aforesaid impugned assessment order prefers first appeal u/s 246A of the Act before the Ld. CIT(A) who by the **“impugned order”** has dismissed the first appeal of the assessee on the grounds specified therein.

2.11 That the assessee being aggrieved by the aforesaid **“impugned order”** has preferred instant second appeal on following grounds which are as under as per Form No.36:-

*“1. On the facts and circumstances of the case the Ld. CIT(A), NFAC for holding the addition U/s 68 instead of section 69A of Rs 28,60,000/- to the amount deposited into Bank account is invalid because assessee was never granted any opportunity of being heard against such holding while said deposit amount was duly explained as deposited out of refund from cancelled agricultural land purchase transaction just before the deposit in bank account.*

*2. On the facts and circumstances of the case the Ld. CIT(A), NFAC was not correct in holding to PAN was obtained just deposit to the amount after ignoring to the Provisions of Sec. 139A of the Income Tax Act which requires PAN, after having taxable income as well as before opening of the Bank Account. Thus addition is made on misconception to the provision.*

*3. On facts and in the circumstances of the case, the Ld. CIT (A), NFAC was not correct in confirming to the addition of cash deposit in bank account without providing sufficient*

*opportunity of being heard to the said confirmation. Thus violation to the principle of natural justice.*

*4. On the facts and circumstances of the case the Ld. CIT(A), NFAC wrongly held that as no evidence of formation of HUF was given while same were furnished during the assessment as well as appeal proceedings.*

*5. On the facts and circumstances of the case, Ld. CIT(A), NFAC was wrong in not considering various documents and details submitted during the course of appeal proceedings.*

*5. On the facts and circumstances of the case, L.d. CIT(A) was not justified in confirming the addition u/s 68 instead of 69A of Rs. 28,60,000/- on account of deposit of cash into bank even on having sufficient cash in hand before such deposit.*

*6. On the facts and circumstances of the company. the Ld. CIT(A), NFAC has wrongly held that person from whose amount got refunded due to earlier given against purchase of their land was not present during hearing while he was appeared on the hearing date but the Ld AO was busy in time barring cases. Thus confirming to the allegation of non appearance of the refundee person is against of facts.*

*8. On the facts and circumstances of the company, the Ld. CIT(A), NFAC was clearly wrong in holding that entire cash deposit in the bank as the unexplained deposit without considering to the earlier transaction and documents submitted before him.*

*9. The appellant denies liabilities of interest u/s 234 A, B & C.*

*10. That the appropriate order for granting justice and relief be passed.*

*11. That the appellant craves leave to add, amend, alter, delete all or to modify any of above grounds and to pursue any other or further grounds as may be required".*

3.

Recording of Hearing

3.1 The hearing in the matter was held before this Tribunal on 17.04.2025 when Ld. AR for and on behalf of the assessee appeared before us and placed on record of this Tribunal a paper book containing pages 1 to 98, a brief synopsis and a written submission. The Ld. AR then interalia contended before us that the **"impugned order"** is illegal, bad in law and not proper and thus deserves to be set aside. The **core issue** in the instant appeal is whether the assessee has explained **source of cash deposit of Rs.28,50,000/-** which was deposited in the bank account of the assessee HUF during the time of demonetization properly, successfully before the tax authorities in a manner known to law or not?. The Ld. AR contention is that the sources of cash deposit by the assessee HUF is successfully demonstrated and that addition made is wrong and illegal by the tax authorities. The **sheet anchor** of his argument was that the money was **sourced** as and by way of **"Refund of Money"**, on account of **cancellation of agreement** which was entered by the assessee HUF for the purchase of agricultural land, which was purchased from a person called Mr. Ajay Singh Raghuvanshi. The Ld. AR then contended that the assessee HUF had **initially sourced** the

amount of Rs.28,50,000/- as and by way of **recovery of loan amount** which assessee HUF had given to various persons in the **earlier years**. The Ld. AR then invited the attention of this Tribunal to **agreement of sell** dated 16.04.2016 wherein the seller of the land is one Mr. Ajay Singh Raghuvanshi and buyer of land is assessee (**Not assessee HUF**) and that the seller has agreed to sell certain portion of his land i.e. 0.186 Hectare out of land admeasuring 836 Hectare for lumpsum of Rs.35,00,000/- and that seller had received sum of Rs.28,50,000/- as advance payment/amount on 16.04.2016. It is further stated that upon receiving remainder amount of Rs.6,50,000/- the seller would do registry provided remainder amount of Rs.6,50,000/- is paid to him by buyer within 8 months w.e.f. 16.04.2016. This document is on page 27 and 28 of paper book filed. The Ld. AR then invited our attention to **deed of cancellation** at page 29 to 31 of paper book wherein it is stated that due to some domestic dispute in the family of seller on account of sell of land to the buyer, the seller is cancelling the sell agreement dated 16.04.2016 and has paid compensation of Rs.35,000/- to the buyer Gulabsingh Raghuvanshi (**Not Gulabhsingh Raghuvanshi HUF**) along with

refund of Rs.28,50,000/- received earlier by him as advance amount. Thus **Rs.28,85,000/-** (refund of advance of Rs.28,50,000/- plus Rs.35,000/- as compensation) was received back by the buyer Gulabsingh Raghuvanshi on 19.10.2016. The deed of cancellation is dated 19.10.2016. The Ld. AR then invited our attention to an affidavit dated 03.10.2016 page 13 to 17 of paper book and interalia contended that the assessee HUF came into existence on 25.03.1974 just after birth of his daughter Deepa Raghuvanshi. In the said affidavit in para 4,5,6,7&8 following are averred:-

***"4. That I have accepted following gifts on behalf of family from my following relative who has given the gift amount for my family in which consisting myself my wife and my Name of relative daughter Deepa on 25.03.1974.***

<b>Name of relative</b>	<b>Relation</b>	<b>Amount</b>	<b>Gold Jewellery</b>
<b>Diwan Singh Raghuvanshi</b>	<b>Father of Karta</b>	<b>21000/-</b>	<b>250 gram</b>
<b>Smt. Jamna Devi Raghuvanshi</b>	<b>Mother of Karta</b>	<b>21000/-</b>	<b>500 gram</b>
<b>Girish Raghuvanshi</b>	<b>Mama</b>	<b>21000/-</b>	<b>--</b>
<b>Indra Raghuvanshi</b>	<b>Moshi</b>	<b>21000/-</b>	<b>--</b>
<b>Shashi Saroj Raghuvanshi</b>	<b>Nani</b>	<b>251000/-</b>	<b>500 gram</b>
<b>Bhupat Singh Raghuvanshi</b>	<b>Nana</b>	<b>251000/-</b>	<b>150 gram</b>

***5. That I have been also received petty gift from under noted relatives on the birth of my son Bharat on 29.11.1979.***

<b>Name of relative</b>	<b>Relation</b>	<b>Amount</b>
<b>Diwan Singh Raghuvanshi</b>	<b>Father of karta</b>	<b>121000/-</b>
<b>Smt. Jamna Devi</b>	<b>Mother of karta</b>	<b>121000/-</b>

<i>Raghuvanshi</i>		
<i>Girish Raghuvanshi</i>	<i>Relative</i>	<i>21000/-</i>
<i>Indra Raghuvanshi</i>	<i>Relative</i>	<i>21000/-</i>
<i>Shashi Raghuvanshi</i>	<i>Saroj Relative</i>	<i>41000/-</i>
<i>Bhupat Raghuvanshi</i>	<i>Singh Relative</i>	<i>41000/-</i>
<i>Manish Raghuvanshi</i>	<i>Relative</i>	<i>31000/-</i>
<i>Ashish Raghuvanshi</i>	<i>Relative</i>	<i>31000/-</i>
<i>Neeta Raghuvanshi</i>	<i>Relative</i>	<i>31000/-</i>

6. That I have been landed said amount to known person in the name of my HUF on interest.

7. That I have not maintained any regular books of account of my HUF but under noted income was disclosed on memorandum record basis whose detail as under:

<i>Year</i>	<i>Opening Balance</i>	<i>Income during the year</i>	<i>Gift during the year</i>	<i>Withdrawals</i>	<i>Closing Balance</i>
<i>1973-74</i>		<i>3000</i>	<i>586000</i>	<i>200</i>	<i>588800</i>
<i>1974-75</i>	<i>588800</i>	<i>3300</i>		<i>240</i>	<i>591860</i>
<i>1975-76</i>	<i>591860</i>	<i>3800</i>		<i>270</i>	<i>595390</i>
<i>1976-77</i>	<i>595390</i>	<i>4000</i>		<i>300</i>	<i>599090</i>
<i>1977-78</i>	<i>599090</i>	<i>4400</i>		<i>330</i>	<i>603160</i>
<i>1978-79</i>	<i>603160</i>	<i>5200</i>		<i>360</i>	<i>608000</i>
<i>1979-80</i>	<i>608000</i>	<i>5800</i>	<i>459000</i>	<i>420</i>	<i>1072380</i>
<i>1980-81</i>	<i>1072380</i>	<i>6000</i>		<i>450</i>	<i>1077930</i>
<i>1981-82</i>	<i>1077930</i>	<i>7800</i>		<i>480</i>	<i>1085250</i>
<i>1982-83</i>	<i>1085250</i>	<i>8200</i>		<i>520</i>	<i>1092930</i>
<i>1983-84</i>	<i>1092930</i>	<i>8400</i>		<i>600</i>	<i>1100730</i>
<i>1984-85</i>	<i>1100730</i>	<i>9000</i>		<i>720</i>	<i>1109010</i>
<i>1985-86</i>	<i>1109010</i>	<i>9200</i>		<i>840</i>	<i>1117370</i>
<i>1986-87</i>	<i>1117370</i>	<i>9800</i>		<i>960</i>	<i>1126210</i>
<i>1987-88</i>	<i>1126210</i>	<i>10400</i>		<i>1440</i>	<i>1135170</i>
<i>1988-89</i>	<i>1135170</i>	<i>11800</i>		<i>1500</i>	<i>1144470</i>
<i>1989-90</i>	<i>1144470</i>	<i>11000</i>		<i>1800</i>	<i>1153670</i>
<i>1990-91</i>	<i>1153670</i>	<i>11200</i>		<i>2100</i>	<i>1162770</i>
<i>1991-92</i>	<i>1162770</i>	<i>15000</i>		<i>2400</i>	<i>1175370</i>
<i>1992-93</i>	<i>1175370</i>	<i>15200</i>		<i>2500</i>	<i>1188070</i>
<i>1993-94</i>	<i>1188070</i>	<i>16600</i>		<i>2700</i>	<i>1201970</i>
<i>1994-95</i>	<i>1201970</i>	<i>18000</i>		<i>2800</i>	<i>1217170</i>
<i>1995-96</i>	<i>1217170</i>	<i>24000</i>		<i>3000</i>	<i>1238170</i>

1996-97	1238170	24600		3200	1259570
1997-98	1259570	25000		3400	1281170
1998-99	1281170	25600		3600	1303170
1999-2000	1303170	25900		3700	1325370
2000-01	1325370	26000		3800	1347570
2001-02	1347570	26500		4000	1370070
2002-03	1370070	26800		4200	1392670
2003-04	1392670	27000		4300	1415370
2004-05	1415370	33000		4400	1443970
2005-06	1443970	36000		4500	1475470
2006-07	1475470	42000		4600	1512870
2007-08	1512870	52000		4700	1560170
2008-09	1560170	66000		4800	1621370
2009-10	1621370	78000		4900	1694470
2010-11	1694470	84000		5000	1773470
2011-12	1773470	102000		5200	1870270
2012-13	1870270	144000		6000	2008270
2013-14	2008270	172000		7200	2173070
2014-15	2173070	198000		8400	2362670
2015-16	2362670	260000		9600	2608070
2016-17	2608070	275000		14400	2863670

**8. That my above statement is true and correct as per my knowledge and belief."**

After the Ld.AR had read the aforesaid affidavit few clarificatory questions were asked by the Bench that in the affidavit the deponent is "Gulabsingh Reghuvanshi" whereas the assessee is "Gulabsigh Raghuvanshi HUF" to which Ld. AR had no answer to give back to the Bench. It was also sought to know from Ld. AR as and by way of clarification that deponent "Gulabsingh Raghuvanshi" had signed the affidavit on 03.10.2016 whereas on page 1 below serial No, the date is 16<sup>th</sup>

November 2016. Please clarify?. In reply the Ld. AR stated that on 16<sup>th</sup> November, 2016 notary had affixed this date with signature and seal and not on 03.10.2016, when the deponent had signed. As to yet another clarificatory question why there are no notarial stamps of notary public which is required to be affixed on an affidavit the Ld. AR invited our attention to three round “**seals**” on page 1 of affidavit and stated that they are notarial stamps. Upon a further query that no value is stated on so called stamps of notary he maintained studded silence and did not reply anything on our clarificatory question. The Ld. AR then closed his arguments and did not further argued the case and left it to this Tribunal to pass appropriate order basis records of the case.

3.2 Per contra Ld. DR for and on behalf of the Revenue interalia contended that the impugned order is well reasoned order and calls for no intervention by this Tribunal. The Ld. DR contended that affidavit and so also “agreement to sell” and “cancellation deed” are all self serving documents and that there is absolutely no corroborative material on record and under these circumstances source of cash deposit is not explained from any

genuine sources at all and hence prayed for dismissal of appeal of the assessee. It was also contended by him that affidavit **is not by assessee HUF** and so also "agreement to sell" and "cancellation deed" where words "HUF" is missing.

4. **Observations, findings & conclusions.**

4.1 We now have to decide the legality, validity and the propriety of the "**Impugned Order**" basis records of the case and rival contentions canvassed before us.

4.2 We have carefully perused the records of the case.

4.3 We basis records of the case and after hearing and upon examining the rival contentions are of the considered opinion that following observations and findings of Ld. CIT(A) in the impugned order:-

*"4.3 The above submission of the appellant and the facts narrated by the Assessing Officer in assessment order have been considered. The appellant has stated that, the said amount of Rs.28,50,000/- which was deposited in the bank account of the appellant HUF during the time of demonetization, is nothing but the money which has been sourced from the refund of money on account of cancellation of agreement entered by the appellant for the purchase of agricultural land purchase with a person, namely Mr.Ajay Singh Raghuvanshi.*

*4.4 The appellant has further stated that, the initial payment of the said money of Rs. 28.50,000/- was sourced by way of the recovery of loan given to various persons by the appellant HUF in the earlier years.*

**4.5 The said explanation given by the appellant on the above stated cash deposit of Rs.28,60,000/- is devoid of merit on the following facts:**

**i. The appellant's statement that the initial payment made to the seller of the land (Mr. Ajay Singh Raghuvanshi) out the refund recovery of the loan and advances given is not acceptable due to the fact that, the alleged recovery has been made by way of cash only and the appellant did not explain the reason for the receipt of demonetized currencies which were prohibited during the time of demonetization. Further, the appellant did not furnish the evidence for the initial payment of said loan and advances to the various persons and the source of the same.**

**ii. Whereas, regarding the source of the said payment of loans to various persons, during the course of appellate proceedings, the appellant filed an affidavit and submitted that, the appellant HUF has been earning its own income since F.Y. 1973-74 and the said earnings was used for giving the loans to various persons. The said submission is not acceptable due to the fact that, the appellant has not filed any return of income upto the A.Y. 2014-15 and it has been clearly spelt out by the Assessing Officer that, the appellant HUF has applied for PAN only on 25.11.2016 and filed return of income for the A.Y. 2015-16 and A.Y. 2016-17 only on 01.12.2016. Accordingly, it is clear that the appellant had formed the HUF after the start of demonetization process and more particularly after the deposit of cash in the appellant bank account during demonetization period. In the absence of maintenance of accounts and filing of return of income for the earlier years, the appellant's contention that, it has given loan and advances to various persons in the earlier years and the same was recovered back in cash during the period of demonetization is purely an afterthought to escape from the taxation.**

**iii. It is also observed from the confirmation letters submitted by the appellant from whom the loan and advances received back is not having the details of PAN of the said receptors of loan and the appellant did not furnish the other relevant documentary evidence to prove the genuineness viz. return of income filed by them and also their relevant bank statement and the reasons for the receipt of the same by way of demonetized currency, etc. Hence, the**

*mere submission of the confirmation letter in the uniformly scripted letter are also appears to be an afterthought by the appellant.*

*iv. It is also notable that, the appellant did not take any effort to produce confirmation and other necessary documentary evidences for the receipt of the said cash from the proposed seller of the land during the course of appellate proceedings.*

*v. Further, the bank statement submitted by the appellant has been examined and it was inferred from the same that, after deposition of cash in the said bank account of the appellant HUF, the deposited cash were immediately transferred out from the said account of the appellant by way of FD/Auto Swipe to the other account and the year-end balance was negligible. It clearly indicates that, the action of the appellant is purely intended to convert the unaccounted money available at the time of demonetization into accounted money.*

*4.6 In this regard, it is notable that, the onus of proving the source the money found to have been received by the appellant is rested with the appellant. When the nature and source of receipt is not satisfactorily explained by the appellant, it is open to the Revenue to hold that it is the income of the appellant and no further burden lies on the Revenue to show that, the income is from any particular source. The reliance is placed on the following decisions given by Hon'ble Supreme Court:*

- i) Roshan di hatti (vs) CIT 107 ITR 738*
- li) Kale Khan Md. Hanif (vs) CIT 50 ITR 1*

*4.7 It is further notable that, as per the decision of Hon'ble High Court of Karnataka in the case of CIT (vs) Finance and Hon'ble High Court of Madras in the case of Shree Mangilal Jain (vs) ITO 315 ITR 105, it has been held that mere proof of identity of creditor is not sufficient if the appellant failed to prove the genuineness of the credit. Accordingly, it is clear that the appellant could not explain satisfactorily before the Assessing Officer and also during the course of appellate proceedings about the nature and source thereof, is liable to be taxed u/s 68 of the Act.*

*4.8 In view of the above, I am of the considered view that, the documentary evidences submitted by the appellant for the source of cash deposited is clearly an afterthought and the same is not acceptable as per the provisions of section 68 of the Act. Hence, the addition made by the Assessing Officer u/s 68 of the Act is sustainable and, accordingly, of the grounds of appeal filed by the appellant are hereby dismissed."*

Have not been refuted by the assessee HUF at all in a manner known to law and the source of cash deposit which has been explained is meritless. The documents like affidavit, agreement to sell, deed of cancellation etc. are all self serving documents solely made to give a plausible explanation on sources. The explanation offered and contentions canvassed before us are without any basis and that there are no credible evidence worth a credence to give legitimate explanation on sources of cash deposit. There are no corroborative material as and by way of proof. We have also examined identity proof and confirmation letters of borrowers from page 36-92 of paper book and are not satisfied as they are sourced and procured one to give some explanation on sources of cash deposit. It is a "**make believe**" arrangement and Ld. CIT(A) has rightly rejected same.

4.4 On the contrary Ld. CIT(A) impugned order is well reasoned and speaks to merit of case too.

4.5 In the circumstances and premises drawn up by us we dismiss the appeal of the assessee.

5. **Order**

5.1 Appeal of the assessee is dismissed.

**Order pronounced in open court on 05.05.2025.**

Sd/-

Sd/-

**(SMT. ANNAPURNA GUPTA)**  
**ACCOUNTANT MEMBER**

**(PARESH M JOSHI)**  
**JUDICIAL MEMBER**

Indore

दिनांक/ Dated : 05/05/2025

Dev/Sr. PS

Copies to: (1) The appellant  
(2) The respondent  
(3) CIT  
(4) CIT(A)  
(5) Departmental Representative  
(6) Guard File

By order  
Senior Private Secretary  
Income Tax Appellate Tribunal  
Indore Bench, Indore