

**IN THE INCOME TAX APPELLATE TRIBUNAL  
DELHI BENCH 'SMC', NEW DELHI**

**Before Sh. Satbeer Singh Godara, Judicial Member**

**ITA No. 1724/Del/2025 : Asstt. Year : 2017-18**

Bhirendra Singh Chowdhury, C-4, Second Floor, Kalindi Colony, New Delhi-110065 (APPELLANT)	Vs	Addl./JCIT(A)-2, Visakhapatnam/ ITO, Ward-21(2), Delhi (RESPONDENT)
<b>PAN No. AAAPC2597G</b>		

**Assessee by: Sh. Rohil Pandit, Adv.  
Revenue by : Ms. Indu Bala Saini, Sr. DR**

<b>Date of Hearing: 26.06.2025</b>	<b>Date of Pronouncement: 26.06.2025</b>
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**ORDER**

This assessee's appeal for Assessment Year 2017-18, arises against the Addl./JCIT(A)-2, Visakhapatnam's DIN & order No. ITBA/APL/S/250/2024-25/1072430216(1) dated 22.01.2025, in proceedings u/s 143(3) of the Income Tax Act, 1961 (in short "the Act").

2. Heard both the parties at length. Case file perused.
3. It is noticed at the outset with the able assistance coming from both the parties that the learned assessing authority had framed it's assessment in the assessee's case on 19.12.2019 assessing his entire cash deposits during demonetization of Rs.7,50,000/- as unexplained u/s 69A r.w.s. 115BBE of the Act which has been restricted to Rs.6,00,000/- only in the lower

appellate discussion after granting credit of cash withdrawals of Rs.1,50,000/-. This is what leaves the assessee aggrieved.

4. Learned counsel vehemently submits during the course of hearing that the assessee is infact running consultancy services wherein such cash receipts *per se* could not be altogether ruled out. His further case is that the assessee has already declared all of his cash component as regular business income as well. The Revenue on the other hand draws strong support from the CIT(A)'s detailed discussion partly upholding the impugned addition. Be that as it may, keeping in mind the assessee's socio economic status and his qualifications etc., possibility of past family savings; although not specifically explained, could not be altogether declined as well. It is thus deemed appropriate in the larger interest of justice that a lump sum addition of Rs.1,50,000/- only would be just and proper with a rider that the same shall not be treated as a precedent. The assessee gets relief of Rs.4,50,000/- in other words.

5. So far as assessee's assessment under Section 115BBE is concerned, I quote S.M.I.L.E Microfinance Limited Vs. The ACIT CC-1 in W.P.(MD) No.2078 of 2020 & W.M.P. (MD) No. 1742 of 2020 held that the said provision applied for transactions done on or after 01.04.2017 only. The assessee shall be assessed under normal provision only.

6. This assessee's appeal is partly allowed.

Order Pronounced in the Open Court on 26/06/2025.

Sd/-  
**(Satbeer Singh Godara)**  
**Judicial Member**

**Dated: 26/06/2025**

\*Subodh Kumar, Sr. PS\*

Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. CIT(Appeals)
5. DR: ITAT

**ASSISTANT REGISTRAR**