

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

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

Sh. S. Rifaur Rahman, Accountant Member

ITA No. 1310/Del/2024 : Asstt. Year : 2017-18

DCIT, Circle-7(1), New Delhi-110002	Vs	Dandona Finance Ltd., 1701-1702, Partap Street, Chuna Mandi, Paharganj, New Delhi-110055
(APPELLANT)		(RESPONDENT)
PAN No. AAACD3430G		

Assessee by : Sh. Jagdish Ajmani, CA

Revenue by : Sh. Rajesh Kumar Dhanesta, Sr. DR

Date of Hearing: 26.06.2025

Date of Pronouncement: 26.06.2025

ORDER

Per Satbeer Singh Godara, Judicial Member:

This Revenue's appeal for Assessment Year 2017-18, arises against the CIT(A)/NFAC, Delhi's DIN & order No. ITBA/NFAC/S/250/2023-254/1059410133(1) dated 05.01.2024, 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 emerges at the outset that the Revenue's sole substantive grievance canvassed in the instant appeal seeks to revive the Assessing Officer's action making section 68 unexplained cash credits addition of Rs.1,12,48,800/-; in the course of assessment dated 27.12.2019 and reversed in the

CIT(A)/NFAC's order under challenge. It is in this factual backdrop that we sought to know the net tax effect herein as to whether it is more than Rs.60 lacs in light of CBDT's latest Circular No. 9/2024, dated 17.09.2024. The Revenue quotes section 115BBE of the Act that such unexplained cash credits are infact assessed at higher rate from A.Y. 2017-18 onwards.

4. We find no merit in the Revenue's instant clarification as hon'ble Madras high court in 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 has already settled the issue that the above statutory provision section 115BBE of the Act does not apply to any transaction in A.Y. 2017-18. We thus, conclude that the Revenue's instant appeal deserves to be dismissed since involving lower than the prescribed limit of tax effect of Rs.60 lacs in very terms.

5. This Revenue's appeal is dismissed.

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

Sd/-

(S. Rifaur Rahman)
Accountant Member

Dated: 26/06/2025

Sd/-

(Satbeer Singh Godara)
Judicial Member

Subodh Kumar, Sr. PS

Copy forwarded to:

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

ASSISTANT REGISTRAR