



**IN THE INCOME TAX APPELLATE TRIBUNAL, RANCHI BENCH, RANCHI**

BEFORE SHRI GEORGE MATHAN, JUDICIAL MEMBER AND  
SHRI RATNESH NANDAN SAHAY, ACCOUNTANT MEMBER

ITA No. 118/Ran/2024

(Assessment Year: 2017-18)

Prem Lata Sharma, Lalpur Chowk, Ranchi-834001, (Jharkhand). <b>PAN No. AGKPS 0075 M</b>	Vs.	I.T.O., Ward 2(4), Ranchi.
Appellant/ Assessee		Respondent/ Revenue

Assessee represented by	Shri V.K. Jalan, A.R.
Department represented by	Shri Khub Chand Pandya, Sr. DR
Date of hearing	20/08/2025
Date of pronouncement	20/08/2025

**ORDER**

**PER: BENCH**

1. This is an appeal filed by the assessee against the order of the learned CIT(A), NFAC, Delhi in Appeal No. CIT(A), Ranchi/10182/2019-20 dated 28/02/2024 for the A.Y. 2017-18.
2. Shri V.K. Jalan, Id. A.R. is represented on behalf of the assessee and Shri Khub Chand Pandya, Id. Sr.DR is represented on behalf of the revenue.
3. It was submitted by the Id. AR that the assessee during the period of demonetization had deposited ₹26,60,000/- in her bank account. It was a submission that in the course of assessment, the Assessing Officer had asked the assessee to explain the source for the deposit of ₹ 26,60,000/-. It was a submission that the assessee had explained that the money was out of the cash in hand. It was a submission that the Assessing Officer did not accept the contentions of the assessee and treated the cash deposit of ₹ 7.00 in

Central Bank of India vide account No. 1351807461 and an amount of ₹ 19,60,000/- deposited in IDBI Bank account No. 1101102000002110 as unexplained monies. It was a submission that on appeal, the Id. CIT(A) did not consider the explanations of the assessee. It was a submission that the assessee was filing her return of income under Section 44AD of the Act in respect of her business of purchase and sale of building materials. It was a submission that this amount of ₹ 26.60 lacs represented the sale proceeds from the business activity of the assessee. It was a submission that the addition as made by the Assessing Officer and has confirmed by the Id. CIT(A) is liable to be deleted.

4. In reply, the Id. Sr.DR submitted that the details in respect of the business activity of assessee has not been produced before the Assessing Officer. It was a submission that no evidence has been produced in regard to the transactions done by the assessee. It was the prayer that the order of the Assessing Officer and that of the order of Id. CIT(A) is liable to be upheld.
5. We have considered the rival submissions. The assessee has claimed that she is doing business in purchase and sale of building materials. The assessee claims that she is filing her income tax returns under 44AD. The assessee claims that for the A.Y. 2015-16, her turnover is ₹ 40.00 lacs, for the A.Y. 2016-17 it is ₹ 50.00 lacs and for the A.Y. 2017-18 it is ₹ 50.00 lacs. It is submitted by the Id. AR that the assessee is not filing GST returns. The assessee is unable to prove the turnover other than what is disclosed in her returns. The assessee has admittedly not been able to prove her business. However, in the interest of justice, we are of the view that this issue must be

restored to the file of Assessing Officer for readjudication. The Assessing Officer shall depute his Inspector to verify the claim of the assessee in respect of her claim of the business of purchase and sale of building material. The assessee shall cooperate in the set aside proceedings. With these directions, the issues in this appeal are restored to the file of Assessing Officer for readjudication after granting the assessee adequate opportunity of being heard.

6. In the result, this appeal of the assessee is partly allowed for statistical purposes..

Order announced in open court on 20th August, 2025.

Sd/-  
(RATNESH NANDAN SAHAY)  
ACCOUNTANT MEMBER

Sd/-  
(GEORGE MATHAN)  
JUDICIAL MEMBER

Ranchi, Dated: 20/08/2025

*\*Ranjan*

Copy to:

1. Assessee
2. Revenue
3. CIT
4. DR
5. Guard File

By order

Sr. Private Secretary, ITAT, Ranchi