

**IN THE INCOME TAX APPELLATE TRIBUNAL,
NAGPUR BENCH "SMC", NAGPUR**

BEFORE SHRI NARENDER KUMAR CHOUDHRY, JUDICIAL MEMBER

**ITA No.42/NAG/2025
Assessment Year: 2017-18**

Mr. Dnyaneshwar Kishan Sarap Shop no 1, Kaneri Sarap, Akola, Akola, Maharashtra - 444005 PAN: CMRPS3662M	Vs.	ITO Ward-3, Akola Aayakar Bhawan, Gorashan Road, Akola Maharashtra- 444001
(Appellant)		(Respondent)

Present for:

Assessee by : Ms. Shikha Loya, Ld. CA
Revenue by : Shri Surjit Kumar Saha, Ld. Sr. D.R.

Date of Hearing : 27.06.2025
Date of Pronouncement : 27.06.2025

O R D E R

Per : Narender Kumar Choudhry, Judicial Member:

This appeal has been preferred by the Assessee against the order dated 24.12.2024, impugned herein, passed by the National Faceless Appeal Center (NFAC)/Ld. Commissioner of Income Tax (Appeals) (in short Ld. Commissioner) u/s 250 of the Income Tax Act, 1961 (in short 'the Act') for the A.Y. 2017-18.

2. In the instant case, the Assessee during the assessment year under consideration had deposited Rs.9,98,100/- during the period from 09.11.2016 to 30.12.2016 which was treated as unexplained income by the Assessing Officer (AO) from other sources and consequently added in the income of the Assessee. The Assessee by producing a certificate dated 10.01.2025 has demonstrated the fact that he has deposited Rs. 54,000/- and Rs.1,37,500/- in total Rs.1,91,500/- in the old denominations/SBN notes but otherwise all the amounts have been deposited in new currency notes as it clearly appears from the bank certificate issued by Vidharbha Konkan Gramin Bank as. The Assessee has also filed certificate issued by Akola Urban Co-operative Bank dated 15.01.2025 giving details of SBN notes deposited during demonetisation period. Further, the Assessee has also submitted a certificate dated 15.01.2025 issued by Akola Urban Cooperative Bank showing IFSC code is connected with the Yes Bank.

3. This Court has given thoughtful considerations to the peculiar facts and circumstances of the case. Admittedly the aforesaid documents are essential for proper adjudication of the issue involved and thus for just and proper decision of the case and substantial justice, this Court is remanding the case to the file of the AO for decision afresh and by considering the said documents filed by the Assessee and/or any other documents to be produced by the Assessee. Suffice to say the AO shall afford reasonable opportunity of being heard to the Assessee.

4. The Assessee is also directed to file the relevant submissions and documents as well as the documents filed before this Court. Thus, the case is accordingly remanded to the file of the AO for decision afresh in the aforesaid terms.

5. In the result, the Assessee's appeal is allowed for statistical purposes.

Order is pronounced in the open court on 27.06.2025 .

**Sd/-
(NARENDER KUMAR CHOUDHRY)
JUDICIAL MEMBER**

* Kishore, Sr. P.S.
Copy to: The Appellant
The Respondent
The CIT, Concerned, Nagpur
The DR Concerned Bench

//True Copy//

By Order

Dy/Asstt. Registrar, ITAT, Nagpur.