

आयकर अपीलीय अधिकरण, “एस.एम.सी” न्यायपीठ, कटक
IN THE INCOME TAX APPELLATE TRIBUNAL “SMC” BENCH CUTTACK

(THROUGH VIRTUAL HEARING)

श्री जार्ज माथन, न्यायिक सदस्य के समक्ष ।

BEFORE SHRI GEORGE MATHAN, JUDICIAL MEMBER

आयकर अपील सं/ITA No.445/CTK/2025

(निर्धारण वर्ष / Assessment Year : 2017-2018)

Saraswati Shishu Mandir Parichalana Samiti, Hati Nagar, Kendujhargarh, Kendujhar Sadar, Kendujhar 758001	Vs	ITO (Exemption), Cuttack
PAN No. : AAJAS 6194 B		
(अपीलार्थी /Appellant)	..	(प्रत्यर्थी / Respondent)
निर्धारिती की ओर से /Assessee by	:	Shri Dr. Sanjay Behura & Ananta Narayan Singhbabu, ARs
राजस्व की ओर से /Revenue by	:	Shri Vijay Singh, Sr. D.R
सुनवाई की तारीख / Date of Hearing	:	25/09/2025
घोषणा की तारीख/ Date of Pronouncement	:	25/09/2025

आदेश / ORDER

This is an appeal filed by the assessee against the Ld. Addl/JCIT (A)-1,Nashik order dated 05/06/2025 passed in Appeal No.CIT(A),Cuttack/10525/2019-20 for the assessment year 2017-2018.

2. It was submitted by the Ld. AR that the assessee is running an educational institution in Kendujhar. It was the submission that the during the demonetization period the assessee had deposited Rs.11,33,280/- in cash in his bank account. It was further submission that the SBN deposited during the demonetization period was to an extent of Rs.4,98,500/-. It was the further submission that the assessee had total receipts of Rs.1,54,00,000/-. It was the submission that the AO did not accept the contentions of the assessee in respect of the demonized

currency deposited in the bank account and has stated the same as unexplained money in the hands of the assessee. It was the submission that he had no objection if the issue is restored to the file of the AO for verification from the cash book in respect of the money deposited in the bank account.

3. In reply, the Ld. Sr. DR submitted that he had no objection if the issue is verified by the AO.

4. I have considered the rival submissions. A perusal of the facts in the present case clearly shows that the assessee has deposited the money and as per the claim of the Id. AR the money is out of the cash book of the assessee. The assessee admittedly has not produced the cash book before me for proving the said transactions. However, in the interest of justice, I am of the view that issues in this appeal are required to be restored to the file of the AO for re-adjudication after granting the assessee adequate opportunity to prove its claim. The AO shall verify the cash book in respect of the availability of the cash for the above deposit in the bank account of the assessee. If the assessee is able to show that it had adequate cash in its cash book for the purpose of depositing the same in its bank account and the same is equal to or an excess of the cash deposited in the bank account during the same dates, then no addition is called for.

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

Order dictated and pronounced in the open court on 25/09/2025.

Sd/-
(जार्ज माथन)
(GEORGE MATHAN)
न्यायिक सदस्य / JUDICIAL MEMBER

दिनांक Dated 25/09/2025

Prakash Kumar Mishra, Sr.P.S.

आदेश की प्रतिलिपि अग्रेषित/Copy of the Order forwarded to :

1. अपीलार्थी / The Appellant- Saraswati Shishu Mandir,
Parichalana Samiti, Hati Nagar, Kendujhargarh,
Kendujhar Sadar, Kendujhar
758001
2. प्रत्यर्थी / The Respondent- ITO (Exemption), Cuttack
3. आयकर आयुक्त(अपील) / The CIT(A),
4. आयकर आयुक्त / CIT
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, कटक / DR, ITAT,
Cuttack
6. गार्ड फाईल / Guard file.

सत्यापित प्रति //True Copy//

आदेशानुसार/ BY ORDER,

(Assistant Registrar)

आयकर अपीलीय अधिकरण, कटक/ITAT, Cuttack