

**IN THE INCOME TAX APPELLATE TRIBUNAL
(DELHI BENCH “SMC” : NEW DELHI)**

BEFORE SHRI MAHAVIR SINGH, HON’BLE VICE PRESIDENT

ITA No. 4483/Del/2025
Asstt. Year : 2017-18

Ansul Aggarwal & Co.
A-296, Basement,
Shivalik, Malviya Nagar,
New Delhi – 110 017
(PAN:-AAHFA0718Q)
(Appellant)

vs. DCIT, Ward 61(1),
New Delhi

(Respondent)

Appellant by: Shri Rahul Agrawal, Adv.
Respondent by: Shri Ashok Kumar Pandey, Sr. DR.

Date of Hearing	13.10.2025
Date of Pronouncement	22.10.2025

ORDER

This appeal by the assessee is emanating from the order of the NFAC, Delhi in Appeal No. ITBA/NFAC/S/250/2025-26/1076409202(1) dated 23.05.2025. Assessment was framed by the ITO, Ward 61(1), Delhi u/s. 143(3) of the Income Tax Act, 1961 (hereinafter referred as ‘the Act’) for the assessment year 2017-18 vide its order dated 12.12.2019.

2. Brief facts of the case are that the assessee is a firm and filed its return for AY 2017-18 declaring total income of Rs. 7,07,720/-. During the year under consideration, the assessee made cash deposits of Rs. 29,00,000/- into bank account during demonetization period. Accordingly, a notice u/s. 143(2) of the Act dated 16.08.2018 was issued along with various other notices, viz., notice u/s. 142(1) and show cause notice. The assessee failed to give a satisfactory reply to the AO. The assessee also failed to give a satisfactory reply to the AO. The assessee also failed to substantiate sources of cash deposits by furnishing cogent evidences. Hence, the

deposits by furnishing corroborative documents before the AO and the claim of the assessee in respect of opening balance of Rs. 14,67,000/- and professional receipt of Rs. 14,33,000/- in cash was without any evidences and sufficient cause. In view of the facts and circumstances of the case, it is crystal clear that during the assessment proceedings, the assessee was unable to substantiate its claim and did not provide the supporting evidences thereof before the AO. Hence, I set aside the orders of the Assessing Officer as well of CIT(A) and direct the Assessing Officer to consider the requisite evidences are required in order to decide the issue afresh, after giving adequate opportunity of being heard to the assessee. I remand the matter back to the file of the AO. I hold and direct accordingly.

4. The instant appeal of the assessee is allowed for statistical purposes.

Order pronounced on 22.10.2025.

Sd/-
(MAHAVIR SINGH)
VICE PRESIDENT

SRBhatnagar

Date: 22-10-2025

Copy forwarded to: -

1. Appellant
2. Respondent
3. DIT
4. CIT (A)
5. DR, ITAT

TRUE COPY

By Order,

Assistant Registrar, ITAT,
Delhi Bench