

**IN THE INCOME TAX APPELLATE TRIBUNAL,
DELHI BENCH: "SMC" NEW DELHI**

BEFORE SHRI SATBEER SINGH GODARA, JUDICIAL MEMBER

**ITA No.6519/Del/2025
Assessment Year: 2017-18**

Santu Sharma (HUF), 98/100, Moti Bazar, Chandni Chowk, Delhi-110006	Vs.	Income Tax Officer, Ward-47(4), Drum Shape Building, I.P. Estate, New Delhi-110002
PAN: AAWHS7588F		
(Appellant)		(Respondent)

Assessee by	Shri Salil Agarwal, Sr. Adv. Shri Shailesh Gupta, CA, Shri Uma Shankar, Adv. & Shri Madur Agarwal, Adv.
Department by	Sh. Manoj Kumar, Sr. DR

Date of hearing	26.11.2025
Date of pronouncement	26.11.2025

ORDER

This assessee's appeal for assessment year 2017-18, arises against the Commissioner of Income Tax (Appeals)/National Faceless Appeal Centre [in short, the "CIT(A)/NFAC"], Delhi's DIN and order no. ITBA/NFAC/S/250/2025-26/1081062507(1), dated 23.09.2025 involving proceedings under section 143(3) of the Income-tax Act, 1961 (hereinafter referred to as 'the Act').

Heard both the parties at length. Case file perused.

2. Coming straight to the sole substantive issue between the parties herein, it emerges at the outset that both the lower authorities have added a sum of Rs.13.75 lakhs as assessee's unexplained cash credit liable to be assessed u/s 68 r.w.s. 115BBE of the Act; in assessment order dated 19.12.2019 and upheld in the lower appellate discussion.

3. That being the case, the learned senior counsel, Shri Salil Agarwal, invites the tribunal's attention to para-8 at page-9 of the assessment order wherein the assessing authority has simply treated 75% of the assessee's cash deposits of Rs.53 lakhs; amounting to Rs.39.75 lakhs as unexplained and accepted the balance 25% component thereof as genuine. This tribunal is of the considered view that such a piece-meal approach adopted by the learned departmental authorities for making addition u/s 68 is not sustainable as they ought to have examined all the credit entries is issue. The impugned addition is deleted for this precise reason therefore.

8. This assessee's appeal is allowed.

Order pronounced in the open court on 26th November, 2025.

Sd/-
(SATBEER SINGH GODARA)
JUDICIAL MEMBER

Dated: 26th November, 2025.

Shekhar

Copy forwarded to:

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

Asst. Registrar, ITAT, New Delhi