

**IN THE INCOME TAX APPELLATE TRIBUNAL**  
**“SMC” BENCH, AMRITSAR**

**PHYSICAL HEARING**

**HON'BLE SHRI MANOJ KUMAR AGGARWAL, AM**

**आयकर अपील सं. / ITA No.313/ASR/2025**  
**(निर्धारण वर्ष / Assessment Year: 2016-17)**

<b>Shri Baljit Singh</b> Jhanduwala, Guruharsahai Ferozepur - 152022	<b>बनाम/ Vs.</b>	<b>ITO Ward-3(1)</b> Ferozepur - 152022
स्थायीलेखासं./जीआइआरसं./PAN/GIR No. <b>HPGPS-5306-F</b>		
(अपीलार्थी/ <b>Appellant</b> )	:	(प्रत्यर्थी / <b>Respondent</b> )

अपीलार्थीकीओरसे/ <b>Appellant by</b>	:	Sh. Ashray Sarna (CA) – Ld. AR
प्रत्यर्थीकीओरसे/ <b>Respondent by</b>	:	Sh. Charan Dass (Addl. CIT) – Ld. Sr. DR

सुनवाईकीतारीख/ <b>Date of Hearing</b>	:	16-12-2025
घोषणाकीतारीख / <b>Date of Pronouncement</b>	:	23-12-2025

**आदेश / O R D E R**

1. Aforesaid appeal by assessee for Assessment Year (AY) 2016-17 arises out of an order of learned Commissioner of Income Tax (Appeals), NFAC [CIT(A)] dated 04-03-2025 in the matter of an assessment framed by Ld. Assessing Officer [AO] on *best judgment basis* u/s 147 r.w.s. 144 of the Act on 28-03-2022. The sole issue that falls for my consideration is addition of cash deposit for Rs.28 Lacs. Having heard rival submissions, the appeal is disposed-off as under.
2. From the assessment order, it emerges that the assessee deposited cash of Rs.28 Lacs in its bank account on 03-04-2015 but the assessee did not file return of income. The case was accordingly

reopened wherein the assessee stated that deposits were sourced out of earlier withdrawals of Rs.20 Lacs on 13-01-2015, Rs.6 Lacs on 15-01-2015 and the remaining deposits were out of personal savings. However, Ld. AO rejected the same on the ground that the purpose of withdrawal and depositing the same again in the bank account was not explained by the assessee. The assessee also deposited Rs.1 Lacs on 02-02-2015 which was not considered. Therefore, the deposits of Rs.28 Lacs were added by Ld. AO to assessee's income u/s 69A. The Ld. CIT(A) confirmed the addition against which the assessee is in further appeal before Tribunal.

3. From the facts, it emerges that the assessee being an agriculturist has not file return of income. The perusal of bank account statement as placed on record would show that the assessee has loan facility in the said bank account. The assessee has, in fact, withdrawn the funds as enumerated in preceding para-2. The withdrawals amount to Rs.26 Lacs. The subsequent deposits are for Rs.1 Lacs and Rs.28 Lacs. The assessee is not shown to have utilized such withdrawals for any other purpose. Therefore, it could be presumed that the deposits were sourced out of earlier withdrawals only. Hence, considering the facts of the case, I deem it fit to confirm the addition of Rs.3 Lacs. The impugned addition stands restricted to the extent of Rs.3 Lacs. No other ground has been urged in the appeal.

4. The appeal stands partly allowed.

Order pronounced u/r 34(4) of Income Tax (Appellate Tribunal) Rules,  
1963.

-Sd-  
**(MANOJ KUMAR AGGARWAL)**  
**ACCOUNTANT MEMBER**

Dated: 23-12-2025

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

1. अपीलार्थी/Appellant
2. प्रत्यर्थी/Respondent
3. आयकरआयुक्त/CIT
4. विभागीयप्रतिनिधि/DR
5. गार्डफाईल/GF

ASSISTANT REGISTRAR

ITAT AMRITSAR