

IN THE INCOME TAX APPELLATE TRIBUNAL "SMC" BENCH, KOLKATA

SHRI RAJESH KUMAR, ACCOUNTANT MEMBER

**I.T.A. No.1107/Kol/2025
(Assessment Year 2015-16)**

Sikha Datta,

54, Nalin Seth Road,
Kolkata - 700007
[PAN: AGOPD2463J]

.....**Appellant**

vs.

Jurisdictional Assessing Officer,

Ward - 44(1), Kolkata,
3, Government Place (West),
Kolkata - 700001

..... **Respondent**

Appearances by:

Assessee represented by : S. Chatterjee, FCA

Department represented by : Monalisa Pal Mukherjee, Sr. DR

Date of concluding the hearing : 17.12.2025

Date of pronouncing the order : 19.12.2025

ORDER

The present appeal filed by the assessee arises from order dated 23.11.2023 passed u/s 250 of the Income Tax Act, 1961 (hereafter "the Act") by the Ld. Commissioner of Income Tax (Appeals)- National Faceless Appeal Centre (NFAC), Delhi [hereafter "the Ld. CIT(A)].

2. The only issue is raised by the assessee in the various grounds of appeal is against the confirmation of addition of Rs. 10,20,000/- by the Ld. CIT(A) as made by the AO u/s 69A of the Act in respect of unexplained money qua the cash deposited in the bank account of the assessee.

3. The facts in brief are that the assessee filed its return of income on 01.01.2016 declaring total income of Rs. 2,42,020/- which was processed

u/s 143(1) of the Act. The case of the assessee was selected for scrutiny and notice u/s 143(2) and 142(1) of the Act along with questionnaire were duly issued and served upon the assessee which were also replied by the assessee. The AO found during the year the assessee deposited cash into the bank account with Canara Bank. Accordingly, the assessee is asked to explain the same. The assessee replied the same by submitting the copy of ITRs for FY 2014-15, balance sheet of the earlier year showing cash in hand . The assessee is a partner in a firm from where who was used to withdraw money in cash as well as by cheque. The AO did not accept the contention of the assessee and the cash deposited of Rs. 10,20,000/- was added to the income of the assessee u/s 69A of the Act as unexplained money. In the appellate proceedings, the Ld. CIT(A) confirmed the addition.

4. After hearing the rival contention and perusing the material available on record including the balance sheet of the firm in which the assessee is a partner as well as the assessee's balance sheet in respect of earlier assessment years, we find that the assessee has proven with the help of evidences that the money was available with the assessee. The assessee has furnished the statement showing cash withdrawals during three years and sufficient availability of cash for deposit into the bank. Therefore, we find merit in the contention of the assessee that the addition as made by the AO and confirmed by the CIT(A) is incorrect against the facts on record. Accordingly, we set aside the order of CIT(A) and direct the AO to delete the addition.

5. In result, appeal of the assessee is allowed.

Order pronounced on 19.12.2025

Sd/-
(Rajesh Kumar)
Accountant Member

Dated: 19.12.2025
AK,Sr.P.S.

Copy of the order forwarded to:

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

//True copy//

By order

Assistant Registrar, Kolkata Benches