

IN THE INCOME TAX APPELLATE TRIBUNAL
HYDERABAD “SMC” BENCH : HYDERABAD

BEFORE SHRI VIJAY PAL RAO, VICE PRESIDENT

ITA.No.1465/Hyd/2025
Assessment Year 2020-2021

G K Properties Private Limited, Hyderabad. PIN - 500034. PAN AAACG7448K	vs.	The Income Tax Officer, Ward-2(1), Hyderabad – 500 084.
(Appellant)		(Respondent)

For Assessee :	CA Alok Agarwal
For Revenue :	MS P Sumitha, Sr. AR

Date of Hearing :	15.01.2026
Date of Pronouncement :	23.01.2026

ORDER

This appeal has been filed by the Assessee against the Order dated 16.07.2025 of the learned CIT(A)-National Faceless Appeal Centre [in short “NFAC], Delhi, for the assessment year 2020-2021.

2. The assessee has raised the following grounds:

1. *“The order passed by the Learned Commissioner of Income Tax Appeals is against the facts and circumstances of the appellant's case and is contrary to the provisions of Income-tax Act, 1961.*
2. *Ground 1 is general in nature and do not require adjudication.*

3. *In the facts and circumstances of the appellant's case the provisions of Section 69A are not applicable. Hence, the addition is liable to be deleted.*
 4. *The Learned Commissioner of Income Tax Appeals has erred in treating Rs.20,00,000/- as unexplained money u/s. 69A of the Income Tax Act, 1961 which was paid towards outstanding amount on account of purchase of property. This addition is liable to be deleted.”*
 5. *The learned Commissioner of Income Tax Appeals erred in invoking the provisions u/s. 69A, while the transaction is duly explained and accounted, recorded, disclosed and declared in books of account and consequently the additions made on this count are liable to be deleted.*
3. The learned Authorised Representative of the Assessee has submitted that the assessee is dealing in the real estate. The assessee filed its return of income on 09.01.2021 declaring total income/loss of Rs.(-)9,62,037/-. The Assessing Officer while passing the scrutiny assessment u/sec.143(3) of the Income Tax Act [in short "the Act"], 1961 dated 28.09.2022 has made an addition of Rs.20 lakhs as income received from unexplained source. The learned Authorised Representative of the Assessee has submitted that the Assessing Officer has made this addition based on

the outstanding amount of Rs.20 lakhs shown by the assessee in the balance-sheet as on 31.03.2020 towards the purchase of two properties for a consideration of Rs.1,79,22,500/- each totalling to Rs.3,58,45,000/-. The Assessing Officer has treated the outstanding shown in the balance-sheet towards the sale consideration as not acceptable when it is stated in the sale deed that the payment of the entire consideration has been paid and received by the seller. The learned Authorised Representative of the Assessee has submitted that it was an arrangement between the parties for deferment of the said payment of Rs.20 lakhs [Rs.10 lakhs each] for purchase of these two properties and the same was subsequently paid as per the bank account statement placed at page-78 of the paper book. The learned Authorised Representative of the Assessee has also referred to the TDS deducted by the assessee and paid on 31.12.2020 placed at page-79 of the paper book and submitted that once the assessee has paid the outstanding amount in the subsequent year and also paid the TDS along with late fees

and interest, then the said addition made by the Assessing Officer is contrary to the record and facts.

4. On the other hand, the learned DR has submitted that as per the sale deed the parties have stated that the total consideration has been paid by the assessee and the receipt of the same is acknowledged by the seller. Therefore, the outstanding of Rs.20 lakhs claimed by the assessee is not acceptable which is contrary to the facts recorded in the sale deed. She has relied upon the Orders of the authorities below.

5. Having considered the rival submissions and careful perusal of the record, it is noted that the Assessing Officer has made the addition of Rs.20 lakhs shown by the assessee as outstanding towards the purchase of the two properties vide two Sale Deeds both dated 30.01.2020 for a consideration of Rs.1,79,22,500 each. Though in the recitals of the Sale Deeds it is stated that the vendor admits and acknowledge the receipt of the entire sale amount, however, there is no particulars and mode of payment mentioned in the sale deeds. The assessee has produced the copy of the bank account statement at page-78 of the paper book as well

as the TDS challan at page-79 of the paper book reproduced as under:

HDFC BANK		Taxpayer's Current A/c		
We understand your world				
G K PROPERTIES PVT LTD				
Customer ID	: 31462702	Account Branch	: 1555	
Account Number	: 15552020001083	KARKHANA ROAD - VIKRAMPURI		
Joint Holders 1	:	NO.29, GROUND FLOOR		
Joint Holders 2	:	P T COLONY		
Account Type	: CURRENT - RESIDENTS (202)	KHARKHANA ROAD		
Statement From	: 01/07/2021 To 31/07/2021	SECUNDERABAD		
Currency	: INR	TELANGANA		
Nomination	: Not Registered	500009		
		RTGS/NEFT IFSC : HDFC0001555 MICR 500240026		
Current Account Details				
Opening Balance : 1,44,56,215.39		OD Limit : 0.00		
Txn Date	Narration	Withdrawals	Deposits	Closing Balance
01/07/2021	05128300000039-TPT-June 2021-BAGO LABORATORIES PRIVATE LIMITED Value Dt 01/07/2021 Ref 000165424223	0.00	24,907.00	1,44,81,122.39
02/07/2021	RTGS Dr-CITI0000006-stouvant pittie-NETBANK, MUM-HDFCR52021070250676099-D404 BRIGADE Value Dt 02/07/2021	5,83,595.00	0.00	1,38,97,527.39
02/07/2021	RTGS Dr-CITI0000006-stouvant pittie-NETBANK, MUM-HDFCR52021070250678908-DG0 4BRIGADE Value Dt 02/07/2021	10,57,955.00	0.00	1,28,39,572.39
02/07/2021	FT - Cr - 00422320006615 - SHWETA COMPUTERS AND PERIPHERALS Value Dt 02/07/2021 Ref 000000004877	0.00	43,357.00	1,28,82,929.39
05/07/2021	SELF - CHQ PAID - KARKHANA ROA Value Dt 05/07/2021 Ref 000000001029	50,000.00	0.00	1,28,32,929.39
07/07/2021	Chq Paid-MICR CTS-CH-FAIRWORTH INFRA DEV Value Dt 07/07/2021 Ref 000000001028	50,00,000.00	0.00	78,32,929.39
08/07/2021	IFCI FINANCIAL- Value Dt 08/07/2021 Ref 659569300013	0.00	24,300.00	78,57,229.39
12/07/2021	FT - Dr - 50100139817259 - BOYA RANGA SWAMY Value Dt 12/07/2021 Ref 000000001030	20,000.00	0.00	78,37,229.39
12/07/2021	50200058652382-TPT-LAZER-AXIONRAY PRIVATE LIMITED Value Dt 12/07/2021 Ref 000295360634	3,00,000.00	0.00	75,37,229.39
20/07/2021	Chq Paid-MICR CTS-CH-G K PROPERTIES P LT Value Dt 20/07/2021 Ref 000000001032	75,00,000.00	0.00	37,229.39
21/07/2021	20210721185894650512/PAYTMACTBR OADBAND Value Dt 21/07/2021 Ref 212020845206	6,977.34	0.00	30,252.05

Taxpayer's Counterfoil

Name of the Assessee G K PXXXXRTIES PRIVATE LIMITED

PAN

A A A C G 7 4 4 8 K

Major Head

0020 - INCOME-TAX ON COMPANIES(CORPORATION TAX)

Minor Head

800 - TDS on Sale of Property

35845000
30032020
ACJPP5719J
BG1441705
Secunderabad

Description of Tax	Amount in Rupees
Basic Tax	358,450.00
Surcharge	0.00
Education Cess	0.00
Penalty	0.00
Others	0.00
Interest	53,768.00
Fee	49,000.00
TOTAL	461,218.00

HDFC BANK LIMITED

Challan No 280
BSR Code 0510308
Date of Receipt 31/12/2020
Challan Serial No 29841
Assessment Year 2020-21
Bank Reference 29841
Drawn On HDFC Bank Netbanking

Rupees (In words)

INR FOUR LAKH(S) SIXTY ONE THOUSAND TWO HUNDRED EIGHTEEN ONLY

CIN

051030831122029841

Debit Account No.

50200050393109

Payment Realization Date

31/12/2020 15:51:37

Please Save a copy of this Acknowledgement Receipt for your future reference.

5.1. Thus, it is clear that the assessee has made the balance amount of the consideration after deducting TDS. It is also a matter of record that the TDS was also paid by the assessee vide challan dated 31.01.2020 which matches with the total consideration paid by the assessee in respect of the two properties in question. Accordingly, by considering the fact of subsequent payment made by the assessee as well as the TDS deduction and payment along with interest and late fee, I am of the considered view that the outstanding shown by the assessee is based on the actual facts which is established with supporting evidence of subsequent payment through banking channel along with TDS deducted and paid. Hence, the addition made by the Assessing Officer based on suspicion that the assessee has already paid this amount at the time of sale deed and showing the outstanding in the balance-sheet is nothing but represents income from unexplained source is not sustainable and the same is deleted.

6. In the result, appeal of the Assessee is allowed.

Order pronounced in the open Court on 23.01.2026.

Sd/-
[VIJAY PAL RAO]
VICE PRESIDENT

Hyderabad, Dated 23rd January, 2026

VBP

Copy to

1.	G K Properties Private Limited, D-404 Brigade at No.7, Road No.7, Banjara Hills, Hyderabad-500034.
2.	The Income Tax Officer, Ward-2(1), Signature Towers, Kondapur, Hyderabad – 500 084. Telangana
3.	The Pr. CIT, Hyderabad.
4.	The DR ITAT “SMC” Bench, Hyderabad
5.	Guard File

//By Order//

//True Copy//