

**IN THE INCOME TAX APPELLATE TRIBUNAL “B” BENCH, MUMBAI
BEFORE SHRI AMIT SHUKLA, JUDICIAL MEMBER**

AND

SHRI GIRISH AGRAWAL, ACCOUNTANT MEMBER

**ITA No. 5616/MUM/2025
(Assessment Year: 2012-13)**

Blue Chip Financial Services Private Limited 24, Dheeraj Heritage, 3 rd Floor, S.V. Road, Santacruz West, Mumbai 400054 PAN: (AAACB2087R)	vs	Income Tax, Circle 12(1)(3) Aayakar Bhavan, M.K. Road, Churchgate Mumbai - 400020
Appellant		Respondent

Present for:

Appellant by : Shri Haridas Bhatt, CA

Respondent by : Shri Layaqat Ali Aafaqui, Sr. DR

Date of Hearing : 13.11.2025

Date of Pronouncement : 09.02.2026

ORDER

PER GIRISH AGRAWAL, ACCOUNTANT MEMBER:

This appeal filed by the assessee is against the order of National Faceless Appeal Centre (NFAC), Delhi vide DIN & Order No. ITBA/NFAC/S/250/2025-26/1078465141(1) dated 14.07.2025 passed against assessment order u/s. 143(3) r.w.s 147 of the Income-tax Act, 1961 (hereinafter referred to as the “Act”), dated 30.12.2019 for AY 2012-13.

2. Grounds taken by the assessee are reproduced as under:

“a) On the facts and circumstances of the case, and in Law, The CIT(A) erred in confirming the addition made by the AO of the alleged unaccounted money in the form of accommodation entry from shell company M/s Anubhav Commosale Pvt Ltd to the extent of Rs 20,00,055/- treating it as unexplained income u/s 68 of IT Act.

b) On the facts and circumstances of the case and in law the CITA and AO failed to appreciate that:

i. The appellant being a company, its books of account were subjected to audit and the alleged unexplained income of Rs 20,00,055/- did not appear in the bank account maintained by the appellant.

ii. AO totally disregarded the bank statement submitted by the appellant without any remarks.

iii. The addition of Rs 20,00,055/- treating it as unexplained income u/s 68 of IT Act merely based on third-party confirmation without verifying the corresponding documentary evidence is bad at law.

c) Therefore, the addition of Rs 20,00,055/- treating it as unexplained income u/s 68 of IT Act is totally baseless, unfair and illegal.”

2.1. The only issue involved in this appeal is in respect of addition of Rs. 20,00,055/- made by treating it as unexplained income alleging it to be unaccounted money in the form of accommodation entry from a company named Anubhav Commosale Private Limited. Thrust of the assessee in this regard is that entry for this transaction did not appear in its bank account. Addition is made merely on a third party confirmation without verifying the same with corroborative documentary evidences on record.

3. Brief facts relevant to the issue are that assessee filed its original return of income on 29.03.2014, reporting total income at Rs. 31,68,797/- which remained to be verified and, therefore, was treated as invalid return by Centralize Processing Center (CPC) of the Income-tax Department, Bengaluru. Since the name of assessee appeared in the list of non-filers, reassessment proceedings were invoked for which notice u/s. 148 was issued on 25.02.2019. Subsequent to this, assessee filed its return of income on 03.07.2019, reporting total income at Rs. 31,68,797/-.

3.1. During the assessment proceedings, information was received from DDIT(Inv.) Unit-4(2), Kolkata that assessee has taken bogus entries from one company Anubhav Commosale Private Limited.

Assessee had received Rs. 65,00,000/- from this stated company from its bank account with Central Bank of India a/c no. 3078857930. i.e. Rs.25,00,000/- on 24.08.2011, Rs.20,00,056/- on 15.12.2011 and Rs.20,00,055/- on 02.03.2012. Thus, totaling to Rs.65,00,000/-. The fact that Anubhav Commosale Private Limited is a shell company operated by accommodation entry providers of Kolkata i.e. Sri Jivendra Mishra, Sri Mithilesh Kumar Mishra and Sri Devesh Upadhyaya has been admitted by them in statement recorded u/s. 131, where they agreed that they provide accommodation entries through *jama karchi* companies floated by them and Anubhav Commosale Private Limited is one of the shell companies, managed and operated by them. In response to inquiry conducted by AO u/s. 133(6), Anubhav Commosale Private Limited confirmed that it has made payment of Rs. 65,00,000/- to the assessee on different dates as mentioned above.

3.2. During assessment proceedings, assessee denied having conducted any transactions with above company which was not accepted by the ld. AO in the light of confirmation filed by the said company, who in the ultimate, proceeded to make the addition of Rs.65,00,000/- as unexplained cash credit u/s. 68 and assess total income at Rs 96,68,800/-. Aggrieved, assessee went in appeal before the ld. CIT(A).

4. Before the ld. CIT(A), assessee strongly contended that there was no transaction carried by it with Anubhav Commosale Private Limited. It also strongly asserted that there was no bank account with Central Bank of India having branch code no. 2588. It was evidently demonstrated by the assessee that it had only one bank account with Abhyuday Bank as current account no. 11825. In the said sole bank account of the assessee, there was no transaction during the year as

alleged by the ld. AO for the amount added in the assessment. In this respect, copies of bank statements were placed on record before the ld. AO of Abhyuday Bank as current account no. 11825. According to the assessee, ld. AO had acted on confirmation furnish by Anubhav Commosale Private Limited on a mistaken identity. According to the assessee, actual transaction was conducted with a company similarly named as Blue Chip Financial **Consultants** Private Limited instead of with the assessee. The resemblance in name is evident since assessee carries its name as Blue Chip Financial **Services** Private Limited.

4.1. In the course of reassessment proceedings, ld. AO had called for information from Central Bank of India, Kolkata branch seeking details in respect of the transactions alleged to be undertaken with the assessee, reply for which was received after the passing of the assessment order. Copies of these correspondence are placed in the paper book. Perusal of these documents furnished by the Central Bank of India, Kolkata confirmed that the transaction took place between Anubhav Commosale Private Limited and Blue Chip Financial **Consultants** Private Limited, evidently demonstrating correctness of the stand taken by the assessee as there is similarity in the name of the assessee and the other company with which transaction was actually undertaken.

4.2. However, what the Central Bank of India, Kolkata provided was in respect of two transactions of Rs. 25,00,000/- and Rs. 20,00,055/- each, totaling to Rs. 45,00,000/-, out of the total transactions of Rs. 65,00,000/-. Considering these corroborative documentary evidences placed on record, ld. CIT(A) after verifying the same and satisfying himself, deleted the addition of Rs. 45,00,000/-, but, sustained the addition for the balance amount of Rs. 20,00,055/-. Against this

balance sustenance of Rs. 20,00,055/-, assessee is in appeal before the Tribunal.

5. For this remaining amount of Rs. 20,00,055/- which has been added in the hands of the assessee, we perused the order of the Id. CIT(A) and from para 8.5. it is noted that, reliance is placed by him on the confirmation of Anubhav Commosale Private Limited. In this respect, Id. CIT(A) observed that the mistaken identity relates only to the two transactions totaling to Rs. 45,00,000/- for which relief has already been granted. However, for the remaining amount of Rs. 20,00,055/-, the same finding cannot be applied, since Id. AO was in possession of bank statement of Anubhav Commosale Private Limited with account in Central Bank of India and it shows payment to ***“M/s. Blue Chip Private Limited”***.

5.1. According to him, since assessee could not file any contrary evidence from Central Bank of India authorities to demonstrate that this remaining amount of Rs. 20,00,055/- paid on 02.03.2012 was not paid to it but, to Blue Chip Financial *Consultants* Private Limited, as in the case of the other two payments, he held that assessee had received this amount as unaccounted money in the form of accommodation entry from Anubhav Commosale Private Limited. In this context, we note that Id. CIT(A) has referred to the information which was available with the Id. AO in the form of bank statement of Anubhav Commosale Private Limited with bank account in Central Bank of India wherein the payment was shown in the name of ***“M/s. Blue Chip Private Limited”***. As noted by Id. CIT(A), this name appearing in the bank statement of Anubhav Commosale Private Limited neither relates to the assessee which has the name Blue Chip Financial *Services* Private Limited and

the other party for which Central Bank had given its confirmation having name Blue Chip Financial *Consultants* Private Limited.

5.2. Furthermore, assessee has placed on record its own bank statement claiming that it had only one bank account with Abhyuday Bank, wherein no such entry of Rs. 20,00,055/- appears in relation to the transaction with Anubhav Commosale Private Limited. Assessee has by all means demonstrated non-existence of any such transaction alleged by the ld. AO which is based on a mistaken identity, there being similarity in the name of the assessee with the other party. Assessee cannot be made to prove negative beyond what it has already demonstrated by placing on record corroborative documentary evidences. In the conspectus of the above factual position, the addition sustained of Rs. 20,00,055/- by ld. CIT(A), made by the ld. AO is deleted. Accordingly, grounds raised by the assessee in this respect are allowed.

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

Order pronounced in the open court on 09.02.2026.

Sd/-
[Amit Shukla]
Judicial Member

Sd/-
[Girish Agrawal]
Accountant Member

Dated: 09.02.2026.

Divya Ramesh Nandgaonkar
Stenographer

Copy to:

1. The Appellant
2. The Respondent
3. DR, ITAT, Mumbai
4. Guard File
5. CIT

BY ORDER,

(Dy./Asstt. Registrar)
ITAT, Mumbai