

**IN THE INCOME TAX APPELLATE TRIBUNAL,
DELHI BENCH: 'E' NEW DELHI**

**BEFORE SHRI SATBEER SINGH GODARA, JUDICIAL MEMBER
AND
SHRI MANISH AGARWAL, ACCOUNTANT MEMBER**

ITA Nos.3276, 3277 & 3278/Del/2025
Assessment Years: 2014-15, 2016-17 & 2017-18

Sh. Amrik Singh, S/o-Jagat Singh, Moh. Burj Usman, Subhash Road, Khurja, Bulandshahr, Uttar Pradesh	Vs.	Income Tax Officer, Ward-2(3)(1), Bulandshahr
PAN: BMDPS6834E		
(Appellant)		(Respondent)

Assessee by	Sh. Shantanu Jain, Adv. Sh. Gurjeet Singh, CA
Department by	Sh. Yogeshwar Sharma, Sr. DR

Date of hearing	29.01.2026
Date of pronouncement	29.01.2026

ORDER
PER SATBEER SINGH GODARA, JM

These assessee's three appeals ITA No. 3276, 3277 & 3278/Del/2025 for assessment years 2014-15, 2016-17 and 2017-18, arises against the Commissioner of Income Tax (Appeals)/National Faceless Appeal Centre [in short, the "CIT(A)/NFAC"], Delhi's orders, all dated 25.03.2025 having DINs and orders no. ITBA/NFAC/S/250/2024-25/1074998233(1), ITBA/NFAC/S/250/2024-25/1074998436(1) and

ITBA/NFAC/S/250/2024-25/1074998662(1) involving proceedings under section 147 r.w.s. 144 of the Income-tax Act, 1961 (hereinafter referred to as 'the Act'), respectively.

Heard both the parties. Case files perused.

2. It transpires during the course of hearing that the assessee's identical sole substantive ground raised in the instant three appeals seeks to reverse both the learned lower authorities' action treating his alleged cash loans of Rs.25.40 lakhs each, as unexplained money under section 69A r.w.s. 115BBE of the Act in the instant as many assessments as upheld in the lower appellate discussion.

3. The Revenue's case in this factual backdrop is that the learned lower authorities' have made the impugned addition based on the corresponding information about the assessee having advanced the impugned alleged cash loans to one Sh. Naresh Chand Juneja which deserves to be upheld against him in all these three cases.

4. We find no merit in the Revenue's stand seeking to confirm the impugned identical addition. This is for the precise reason that going by the learned criminal court's proceedings involving section

138 of the Negotiable Instruments Act (pages 36 to 38), we notice that there was a development agreement between the assessee and the developers concerned which involved the impugned amount in question going by the letter dated 18.08.2012 admittedly not falling in any of the three assessment years 2014-15, 2016-17 and 2017-18 herein. This clinching factual position has gone unrebutted from the Revenue side. This is indeed coupled with yet another fact that the impugned sum was more in the nature of damages as awardable to the assessee in case of non-fulfillment of the development agreement than cash loans advanced. We thus conclude in this factual backdrop that both the learned lower authorities' respective findings adding the impugned cash loans as well as the interest accrued/arising thereupon deserve to be deleted. We order accordingly.

5. These assessee's three appeals ITA No. 3276, 3277 & 3278/Del/2025 succeed in above terms. A copy of this common order be placed in the respective case files.

Order pronounced in the open court on 29th January, 2026

Sd/-
(MANISH AGARWAL)
ACCOUNTANT MEMBER

Sd/-
(SATBEER SINGH GODARA)
JUDICIAL MEMBER

Dated: 17th February, 2026.

RK/-

Copy forwarded to:

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

Asst. Registrar, ITAT, New Delhi