

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

**BEFORE SHRI SANJAY GARG, JUDICIAL MEMBER AND  
SHRI NARENDRA PRASAD SINHA, ACCOUNTANT MEMBER**

**ITA No. 434/AHD/2026  
Assessment Years: 2017-18**

Umemaben Najmuddin Bodeliwala, Best Oil Depot, Nr. Jamali Masjid, Vohra Ground, Station Road, Godhra Gujarat - 389001  <b>[PAN – AIGPB9341R]</b>	Vs.	The Income Tax Officer, Ward-1, Godhra 389001
(Appellant)		(Respondent)
Assessee by	Ms. Urvashi Sodhan, AR	
Revenue by	Smt. Ananya Kulshresth, Sr. DR	
Date of Hearing	08.04.2026	
Date of Pronouncement	21.04.2026	

**ORDER**

**PER NARENDRA PRASAD SINHA, ACCOUNTANT MEMBER:**

This appeal is filed by the assessee against the order of National Faceless Appeal Centre (NFAC), Delhi [hereinafter referred to as ‘CIT(A)’] dated 14.01.2026 for the Assessment Year (A.Y.) 2017-18 in the proceeding u/s 147 r.w.s. 144B of the Income Tax Act.

2. The brief facts of the case are that the assessee had filed return of income for A.Y. 2017-18 on 30.10.2017 declaring income of Rs.3,41,330/- . On the basis of information that the assessee had made cash deposits

of Rs.17,86,400/- in the bank account with Janta Co-operative Bank Ltd., the case of the assessee was re-opened by issue of notice u/s. 148 of the Act on 24.02.2021. In the course of assessment no compliance was made by the assessee and the source of cash deposits was not explained. The AO had, therefore, completed the assessment *ex-parte* u/s. 147 r.w.s. 144B of the Act on 17.05.2023 at total income of rs.21,27,700/-, wherein addition of Rs. 17,86,400/- was made on account of unexplained cash deposits in the bank account.

3. Aggrieved with the order of the AO, the assessee had filed an appeal before the first appellate authority, which was decided by the learned CIT(A) vide the impugned order and the appeal of the assessee was dismissed.

4. Now the assessee is in second appeal before us. The following grounds have been taken in this appeal:

1. *Erred in dismissing appeal as an ex-parte.*
2. *Erred-in-law in confirming addition of Rs. 17,86,400/- as unexplained income u/s. 69A of the Act.*
3. *The appellant craves leave to add, amend, alter, edit, delete, modify or change all or any of the grounds of appeal at the time of or before the hearing of the appeal.*

5. Ms. Urvashi Sodhan, the Ld. AR of the assessee submitted that no compliance could be made before the Ld. CIT(A). Therefore, the Ld. CIT(A) had dismissed the appeal of the assessee without examining the matter on merits. The Ld. AR requested that the assessee may be allowed

another opportunity to explain the source of cash deposits by setting aside the matter to the file of Ld. CIT(A).

6. Per Contra, Smt. Ananya Kulshresth, the Ld. Sr. DR had no objection if the matter was set aside to the file of Ld. CIT(A) for allowing another opportunity to the assessee.

7. We have considered the request of the assessee. It is found that the AO had allowed 5 opportunities to the assessee but no compliance was made on any of the dates and the source of cash deposits was not explained. The Ld. CIT(A) also had allowed 4 opportunities to the assessee but no compliance was made, apart from seeking adjournment on two occasions. The assessee has not explained the reason for non-compliance before the AO as well as before the Ld. CIT(A). We, therefore, deem it proper to **impose a cost of Rs. 5,000/- on the assessee which should be deposited to Prime Minister National Relief fund**, within a period of 15 days from the date of receipt of this order. Subject to the payment of cost, the Ld. CIT(A) is directed to allow one more opportunity to the assessee to explain the source of cash deposits made in the bank account. The assessee is also directed to make compliance before the Ld. CIT(A) in the course of set aside proceeding and produce the evidences/documents for the source of cash deposits and also any other detail/clarification as required by him. The Ld. CIT(A) may call for a remand report of the AO on the additional evidences filed before him. In case the assessee does not make compliance in the course of set aside proceeding, the Ld. CIT(A) will have liberty to pass order on merits, on the basis of materials available on record.

8. In the result, the appeal of the assessee is allowed for statistical purpose.

**Order pronounced in the Court on 21/04/2026 at Ahmedabad.**

**Sd/-**  
**(SAJAY GARG)**  
Judicial Member

**Sd/-**  
**(NARENDRA PRASAD SINHA)**  
Accountant Member

**Dated – 21<sup>st</sup> April, 2026**

*Neelesh, Sr. PS*

*(True Copy)*

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

1. अपीलार्थी / The Appellant
2. प्रत्यर्थी / The Respondent.
3. संबंधित आयकर आयुक्त / Concerned CIT
4. आयकर आयुक्त (अपील) / The CIT(A)
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण / DR, ITAT,
6. गार्ड फाईल / Guard file.

आदेशानुसार/BY ORDER,  
उप/सहायक पंजीकार (Dy./Asstt.Registrar)  
आयकर अपीलीय अधिकरण, अहमदाबाद / ITAT, Ahmedabad