

**IN THE INCOME TAX APPELLATE TRIBUNAL**  
**"C/SMC" BENCH, CHENNAI**

**माननीय श्री मनोज कुमार अग्रवाल ,लेखा सदस्य के समक्ष।**  
**HON'BLE SHRI MANOJ KUMAR AGGARWAL, AM**

आयकर अपील सं./ **ITA No.318/Chny/2022**  
(निर्धारण वर्ष / **Assessment Year: 2017-18**)

<b>Devarajulu Natarajan</b> 76/3, Annamalayar Garden, Thekkupalayam Post, Periyanaickenpalayam, Coimbatore – 641 020.	<b>बनाम/ Vs.</b>	<b>ITO</b> Corporate Ward-1, Coimbatore,
<b>स्थायी लेखा सं./जीआइ आर सं./PAN/GIR No. ABWPN-2307-C</b>		
(अपीलार्थी/ <b>Appellant</b> )	:	(प्रत्यर्थी / <b>Respondent</b> )

अपीलार्थी की ओरसे/ <b>Appellant by</b>	:	Shri N. Arjunraj (CA) for S. Sridhar (Advocate) – Ld. AR
प्रत्यर्थी की ओरसे/ <b>Respondent by</b>	:	Shri D. Hema Bhupal (JCIT) – Ld. DR

सुनवाई की तारीख/ <b>Date of Hearing</b>	:	15-09-2022
घोषणा की तारीख / <b>Date of Pronouncement</b>	:	15-09-2022

**आदेश / ORDER**

**Manoj Kumar Aggarwal (Accountant Member)**

1. Aforesaid appeal by assessee for Assessment Year (AY) 2017-18 arises out of the order of Commissioner of Income Tax (Appeals), National Faceless Appeal Centre (NFAC), Delhi [CIT(A)] dated 21.03.2022 in the matter of an assessment framed by Ld. Assessing Officer [AO] u/s. 143(3) of the Act on 30.09.2019. The grievance of the assessee is confirmation of certain addition of Rs.8.50 Lacs which

represent cash deposit in Bank Accounts. Having heard rival submissions, the appeal is disposed-off as under.

2. The assessee admitted income of Rs.6.82 Lacs which include salary income and the case was subjected to scrutiny to verify cash deposited by assessee during demonetization period. The cash deposit during demonetized period was Rs.8.50 Lacs. The assessee stated to have sourced it from amount returned by friends and relatives out of money given to them during past several years out of salary income. However, these details could not be filed by the assessee. The salary was directly credited through banking channels. Accordingly, Ld. AO added entire cash deposit of Rs.12.85 Lacs u/s 69 which include deposit made before demonetization period also.

3. The Ld. CIT(A), noted that post demonetization, cash deposited in State Bank of Hyderabad was only Rs.2.50 Lacs and cash deposited in Canara bank was Rs.6 Lacs only. Accordingly, the addition was restricted to Rs.8.50 Lacs. Aggrieved, the assessee is in further appeal before us.

4. The Ld. AR pleaded for another opportunity before lower authorities to substantiate the source of cash deposit. The Ld. Sr. DR submitted that the assessee could not establish the source of deposit and therefore, the additions are justified. Having considered factual matrix, I am of the opinion that the onus is on assessee to substantiate the source of cash deposit of Rs.8.50 Lacs. Considering the pleadings made by Ld. AR, I deem it fit to grant another opportunity to assessee to substantiate its case before Ld. AO. Accordingly, the issue is restored back to the file of Ld. AO with a direction to assessee to substantiate the source of deposit.

5. The appeal stands allowed for statistical purposes.

Order pronounced on 15<sup>th</sup> September, 2022.

**Sd/-**  
**(MANOJ KUMAR AGGARWAL)**  
**लेखा सदस्य / ACCOUNTANT MEMBER**

चेन्नई / Chennai; दिनांक / Dated : 15-09-2022

**JPV**

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

1. अपीलार्थी/Appellant    2. प्रत्यर्थी/Respondent    3. आयकर आयुक्त (अपील)/CIT(A)  
4. आयकर आयुक्त/CIT    5. विभागीय प्रतिनिधि/DR    6. गार्ड फाईल/GF