आयकर अपीलीय अधिकरण,चण्डीगढ़ न्यायपीठ, चण्डीगढ़

IN THE INCOME TAX APPELLATE TRIBUNAL
DIVISION BENCH, 'B' CHANDIGARH

BEFORE SHRI LALIET KUMAR, JUDICIAL MEMBER AND SHRI VIJAY VARMA, ACCOUNTANT MEMBER

आयकर अपील सं./ ITA No. 1413/CHD/2026
निर्धारण वर्ष / Assessment Year: 2017-18

Shri Ranbir Singh, 468, Sarojani Colony, Part-2, Yamuna Nagar.	Vs	The DCIT, Central-2, Chandigarh.	
स्थायी लेखा सं./PAN NO: BDZPS2339P			
अपीलार्थी/Appellant			प्रत्यर्थी/Respondent

Assessee by : Shri Rohit Goel, CA
Revenue by : Smt. Kusum Bansal, Pr.CIT, DR

Date of Hearing : 05.08.2026
Date of Pronouncement : 14.08.2026

VIRTUAL HEARING

O R D E R

PER LALIET KUMAR, JM

This is an appeal filed by the assessee feeling aggrieved by the order passed by the ld. Commissioner of Income Tax (Appeals)-3, Gurgaon [in short 'the CIT (A)'] dated 30.04.2026 passed for assessment year 2017-18.

2. The brief facts of the case are that the assessee is an individual who filed his return of income for Assessment Year 2017-18 declaring total income of Rs.1,79,160/- along with

agricultural income of Rs.3,00,000/-. The case was selected for scrutiny and statutory notices were issued by the Assessing Officer. However, according to the assessment order, the assessee did not furnish the requisite details and supporting documentary evidence. During the course of assessment proceedings, the Assessing Officer noticed cash deposits aggregating to Rs.85,93,000/- in the bank accounts of the assessee during the demonetisation period. The assessee failed to satisfactorily explain the source of such deposits. The Assessing Officer further noticed unsecured loans of Rs.9,25,90,050/- and sundry creditors of Rs.1,07,25,456/-, in respect of which the assessee failed to furnish confirmations and other documentary evidence to establish the identity, creditworthiness and genuineness of the creditors/lenders. The agricultural income of Rs.3,00,000/- was also not substantiated by supporting evidence. Consequently, the Assessing Officer treated the aforesaid amounts as unexplained credits/income and made additions aggregating to Rs.11,22,08,506/-, thereby assessing the total income of the assessee at Rs.11,23,87,670/- under section 143(3) of the Income-tax Act, 1961.

3. Aggrieved the assessee went in appeal before the ld.CIT (Appeals).The learned CIT(A), after considering the material available on record, dismissed the appeal of the assessee and confirmed the additions. The relevant findings of the learned

CIT(A) are contained in the appellate order, wherein the additions relating to cash deposits, unsecured loans, sundry creditors and agricultural income were confirmed.

4. Against the order of the ld.CIT (Appeals), the assessee filed a appeal before this Tribunal. The learned AR submitted that the assessee seeks one final opportunity to substantiate his case before the Assessing Officer. It was submitted that the assessee is willing to comply with such conditions as may be considered appropriate by the Tribunal and, as a measure of social and environmental responsibility, is ready to undertake the plantation of 500 trees with the assistance of the NGO, at the Yamuna Bank at Panipat, Samalakha Site, managed and run by Hari Yamuna Sehyog Samiti, NGO (PAN No. AACAH3504R), Walia Building, Ward No. 7, Main Market, Paonta Sahib, Sirmour (HP) 173025, within one month of receipt of this order. It is made that that the plantation of trees include the preparation of land, labour cost and plantation requirement that can be done by the assessee in itself or in the assistance of the organization named herein above. The assessee shall pay Rs.30/- per plant, per year as maintenance cost for one year.

5. It was further submitted that, considering the nature of the additions involved and the fact that the matter requires proper verification of the relevant documents and evidences, the assessee

may be granted an opportunity to place the requisite material before the Assessing Officer. The learned AR, therefore, requested that the matter may kindly be remanded back to the file of the learned Assessing Officer for fresh consideration after providing adequate opportunity to the assessee to substantiate its case. The learned AR submitted that the assessee undertakes to comply with the condition regarding plantation of 500 trees within the period stipulated by the Tribunal and to furnish before the Assessing Officer the necessary evidence regarding such plantation or payment of the requisite cost to the aforesaid NGO towards plantation, installation, protection and maintenance of the trees.

6. It was, accordingly, prayed that the impugned order of the learned CIT(A) may kindly be set aside and the matter may be restored to the file of the learned Assessing Officer for adjudication afresh in accordance with law, subject to such terms and conditions as may be deemed appropriate by the Tribunal.

7. The learned DR, while relying upon the order of the learned CIT(A), submitted that the findings recorded by the first appellate authority are justified on the basis of the material available on record. However, the learned DR submitted that if the Tribunal is inclined to grant an opportunity to the assessee subject to fulfillment of any condition, the same may be made strictly

conditional upon actual compliance within the time stipulated by the Tribunal.

8. We have considered the rival submissions and perused the material available on record. The order of the learned CIT(A), which is under challenge before us, and the factual position emerging from the record have also been duly considered. The assessee has expressed its willingness to undertake the plantation of 500 trees with the assistance of the NGO, as mentioned hereinabove.

9. Considering the facts and circumstances of the case and in the interest of justice, we deem it appropriate to provide one final opportunity to the assessee. Accordingly, the matter is remanded back to the file of the learned Assessing Officer for the limited purpose of verifying compliance with the following condition:

> "The assessee shall, within a period of one month from the date of this order, plant 500 trees at the Yamuna Bank at Panipat, Samalakha Site, managed and run by Hari Yamuna Sehyog Samiti, NGO (PAN No. AACAH3504R), Walia Building, Ward No. 7, Main Market, Paonta Sahib, Sirmour (HP) 173025namely "Yamuna", at the locations and in accordance with the details furnished before the Tribunal. The assessee shall also ensure the requisite plantation, installation, protection and maintenance of the said trees. In case the

assessee is unable to undertake the plantation directly, it shall, within the same period of one month, deposit/pay the requisite cost towards plantation, installation, protection and maintenance of the 500 trees with the aforesaid NGO, and furnish the necessary proof thereof before the learned Assessing Officer. The learned Assessing Officer shall verify the compliance of the aforesaid condition on the basis of appropriate documentary evidence and thereafter give consequential effect to this order in accordance with law."

10. It is, however, made absolutely clear that this relief is conditional. In the event the assessee fails to plant the 500 trees or fails to deposit/pay the requisite cost towards plantation, installation, protection and maintenance of the said 500 trees with the aforesaid NGO within the stipulated period of one month, the order passed by the learned CIT(A) shall stand restored and the appeal of the assessee shall stand dismissed. Subject to the aforesaid condition, the appeal of the assessee is allowed for statistical purposes.

11. The matter is accordingly restored to the file of the learned Assessing Officer for verification and consequential action in terms of the above directions.

12. In the result, appeal of the assessee is allowed for statistical purposes.

Order pronounced on 14th August,2026.

Sd/-	Sd/-
(VIJAY VARMA) **ACCOUNTANT MEMBER**	**(LALIET KUMAR)** **JUDICIAL MEMBER**

"Poonam"

आदेश की प्रतिलिपि अग्रेषित/ Copy of the order forwarded to :

1. अपीलार्थी/ The Appellant
2. प्रत्यर्थी/ The Respondent
3. आयकर आयुक्त/ CIT
4. विभागीय प्रतिनिधि, आयकर अपीलीय आधिकरण, चण्डीगढ़/ DR, ITAT, CHANDIGARH
5. गार्ड फाईल/ Guard File

Assistant Registrar
Income Tax Appellate Tribunal
Kendriya Sadan, Sector 9-A,
Chandigarh.