IN THE HIGH COURT OF ORISSA AT CUTTACK

ITA No.83 of 2010

M/s. Sheetal Real Estate Pvt. Ltd., Angul	....	***Appellant***
		Mr.B. Panda, Advocate

-versus-

The Income Tax Officer, Ward No.1, Dhenkanal and another	....	***Respondents***
		Mr. T.K. Satpathy, SC

CORAM:
THE CHIEF JUSTICE
JUSTICE R.K.PATTANAIK

<u>ORDER</u>
08.02.2022

<u>Order No.</u>

08. 1. The present appeal arises from an order dated 30th July, 2010 passed by the Income Tax Appellate Tribunal, Cuttack Bench, Cuttack (ITAT) in ITA No.159/CTK/2010 for the Assessment Year (AY) 2006-07.

2. The assessee was in appeal before the ITAT against an order dated 25th February, 2010 of the Commissioner of Income Tax (Appeals)-I, [(CIT) (A)] whereby an addition made by the Assessing Officer (AO) under Section 68 of the Income Tax Act, 1961 (IT Act) in the sum of Rs.4.98 lakhs was reduced by the CIT (A) to Rs.4 lakhs.

3. The aforementioned sum of Rs.4.98 lakhs was unexplained cash credit in the form of advances received from five parties. In respect of the receipt of Rs.1 lakh each from two of them, the assessee himself did not contest the unexplained cash

credit. Therefore, the CIT(A) sustained the addition in the sum of Rs.2 lakhs.

4. As regard the remaining three persons, the ITAT in respect of two of them deleted the addition accepting the explanation offered by the assessee. Only the advance given by one of them Sri Dillip Kumar Sahu in the sum of Rs.2 lakhs was treated as unexplained cash credit. Therefore, the total addition worked out to Rs.4 lakhs The ITAT has declined to interfere with the above order of the CIT(A).

5. Having heard Mr. Panda, learned counsel for the appellant assessee and Mr. T.K. Satpathy, learned Standing Counsel for the Department and having perused with the record, this Court finds that there is nothing to persuade it to take a view different from the one taken by the CIT (A) and the ITAT. The only argument of Mr. Panda was that a lenient view should be taken by the Court.

6. No substantial question of law arises from the impugned order of the ITAT. Consequently, the Court is not inclined to admit the appeal or frame any question. The appeal is dismissed.

(Dr. S. Muralidhar)
Chief Justice

(R.K. Pattanaik)
Judge

KC Bisoi