HIGH COURT OF JUDICATURE AT ALLAHABAD

INCOME TAX APPEAL No. - 112 of 2025

The Pr Commissioner Of Income Tax-1 And Another

.....Appellant(s)

Versus

M/S Nbc Agri International Pvt. Ltd.,

.....Respondent(s)

Counsel for Appellant(s) : Amit Mahajan
Counsel for Respondent(s) :

Court No. - 3

HON'BLE SAUMITRA DAYAL SINGH, J.
HON'BLE INDRAJEET SHUKLA, J.

1. Heard Shri Amit Mahajan, learned counsel for the revenue and perused the record.

2. Present appeal has been filed under Section 260-A of the Income Tax Act, 1961 (hereinafter referred to as the 'Act') arising from the order dated 28.3.2025 passed by Income Tax Appellate Tribunal "DB" Bench, Agra in I.T.A. No. 128/Agr/2024 for A.Y. 2017-18. By that order, the Tribunal has dismissed the revenue's appeal arising from the order of Commissioner of Income Tax (Appeals) dated 3.1.2024.

3. Primarily, the CIT (Appeals) has returned finding that the assessee has been able to establish the identity of the creditor, the genuineness of the transaction and the creditworthiness and the creditor to advance the loan disclosed by it.

4. Upon appeal, the Tribunal has taken note of the fact

finding and has further observed that the Interim Board of Settlement has accepted the identity and therefore the existence of the creditor. It has also returned the finding tracing the source of the loan availed by the assessee (in this case) through money received by the creditor from third parties. All money has been received through banking channel. Such finding of fact recorded on due appraisal of evidence does not give rise to a substantial question of law that may engage the attention of this Court in appeal jurisidiction. The appeal is found to be concluded by the finding of fact recorded on due appraisal of evidence.

4. Accordingly, the present appeal is **dismissed**. No order as to costs.

(Indrajeet Shukla,J.) (Saumitra Dayal Singh,J.)

November 19, 2025
Prakhar

Digitally signed by :-
PRAKHAR SRIVASTAVA
High Court of Judicature at Allahabad