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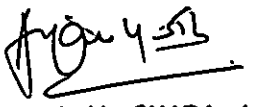
Present: Mr. Subhash Bansal for the appellant.
Mr. S.K. Dubey with Mr. Vanshdeep Dalmia for respondent.

+ ITA No. 385/2009

The assessee had shown inflated stocks to the bank to get certain financial accommodations. However, a finding of fact is arrived at that actual stocks shown in the books of accounts were correctly shown.

In these circumstances, we are of the opinion that the Tribunal rightly held that it was not open to the AO to treat the stock as undisclosed and make addition on that basis. Identical issue has been dealt with by this Court in ITA No. 389/2009 vide order dated 26.8.2009, wherein the judgment in the case of *CIT v. Prem Singh & Co.*, 163 ITR 434 was taken note of.

No question of law, therefore, arises for consideration and the appeal is dismissed.


A.K. SIKRI, J.


VALMIKI J. MEHTA, J.

September 03, 2009
nsk