

The Pr. Commissioner Of Income Tax-5 vs Liquid Investment And Trading Co. Pvt. ... on 15 February, 2019

Author: S. Ravindra Bhat

Bench: S. Ravindra Bhat, Prateek Jalan

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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ ITA 158/2019 & CM Appl. 7146/2019
THE PR. COMMISSIONER OF INCOME TAX-5 Appellant
Through: Mr. Ruchir Bhatia, Sr. Std. Counsel.
versus

LIQUID INVESTMENT AND
TRADING CO. PVT. LTD. Respondent
Through: Ms. Devika Jain, Adv.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% 15.02.2019 In this appeal the assessee had for A.Y. 2007-08 offered 85,48,009/- as disallowance under Section 14A. The AO rejected this but without recording reasons for satisfaction; and disallowed 2,95,03,813/-. The tax exempt income in this case was 30,12,127/-. The CIT[A] gave partial relief and restricted the disallowance to 1,21,64,443/-. The ITAT in the assessee's appeal followed the principle enunciated by this Court in Joint Investments Pvt. Ltd. vs. CIT, Reported in (2015) 372 ITR 694 (Del), that the disallowance cannot exceed the tax exempt income and reduced the disallowance what was so offered by the assessee. The Court is of the opinion that since the ITAT has followed this Court's decision, no question of law arises.

The appeal is accordingly dismissed.

S. RAVINDRA BHAT, J PRATEEK JALAN, J FEBRUARY 15, 2019/'pv'