THE HON'BLE SRI JUSTICE DILIP B.BHOSALE

AND

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

I.T.T.A. No.71 of 2004

JUDGMENT : (per Hon'ble Sri Justice Dilip B.Bhosale)

This appeal was called out yesterday for 'final hearing', when learned counsel for the appellant, at the outset, invited our attention to the judgment dated 12.11.2014 passed by the Division Bench in I.T.T.A. No.254 of 2003 in respect of the very same assessee and submitted that the question raised in that appeal and in the instant appeal is identical, and therefore, this appeal may be disposed of answering the question in favour of the Revenue and against the assessee. Since learned counsel for the respondent had not seen the said judgment, he took time to go through the same. Accordingly, the appeal was adjourned.

Today, learned counsel for the respondent fairly submits that this appeal can be disposed of in terms of the judgment dated 12.11.2014 passed in I.T.T.A.No.254 of 2003 answering the question as framed in the Memorandum of Appeal in favour of the Revenue and against the assessee.

Thus, the appeal is allowed and disposed of as such, answering the question raised in favour of the Revenue and against the assessee. No order as to costs.

Miscellaneous petitions pending in the appeal, if any, also stand disposed of.

Dilip B.Bhosale, J

A.Ramalingeswara Rao, J

8th April, 2015.

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