IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

INCOME TAX REFERENCE NO.13 OF 1999

(The Commissioner of Income-tax, Vidarbha, Nagpur
vs.
M/s. Shantikumar Sancheti, Nagpur)

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Office notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	*Court's or Judge's Orders*

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Shri Anand Parchure, Advocate for the Applicant.
Shri N.S. Bhattad, Advocate for the Non-Applicant.

CORAM : B.P. DHARMADHIKARI AND
V.M. DESHPANDE, JJ.

DATE : 11th FEBRUARY, 2016.

Only one question has been referred to this Court, which reads as under :

> *"Whether on the facts and in the circumstances of the case, the Tribunal was justified in law in holding that the payment of Rs.31,671/- made beyond grace period of 5 days but within the accounting year by resorting to the provisions of Section 154 ?"*

It is thus apparent that even if the reference is answered in favour of the revenue, the tax effect will be below that sum. The assessment order itself shows that total tax demand was Rs.4,86,540/-.

In this situation, following Instruction No.2 of 2005 and also Instruction No.21, dated 10/12/2015, we return the reference unanswered.

JUDGE **JUDGE**

**sandesh*