THE HON'BLE SRI JUSTICE SANJAY KUMAR
and
THE HON'BLE SMT JUSTICE ANIS

ITTA No.601 of 2016

JUDGMENT: **(per SK, J)**

The question of law sought to be raised in this appeal under Section 260A of the Income-tax Act, 1961 (for brevity 'the Act of 1961'), is with regard to the exemption of income under Section 11 of the Act of 1961 when the assessee did not seek exemption under Section 10(23C)(vi) of the Act of 1961.

Sri J.V. Prasad, learned Senior Standing Counsel for the Revenue, fairly concedes that this issue fell for consideration before this Court in ITTA No.635 of 2015 and the appeal was dismissed holding that Section 10(23C), on the one hand, and Sections 11 and 12AA, on the other, operate in two distinct and separate fields.

Following the aforestated judgment and for reasons alike as were mentioned therein, this appeal is dismissed.

Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

29th NOVEMBER, 2016.

ANIS, J

kvni