$~26

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ ITA 844/2016 & CM No. 43731/2016

PR. COMMISSIONER OF INCOME TAX
(CENTRAL)-I NEW DELHI ..... Appellant
Through: Mr. P. Roychoudhuri, Adv.

versus

PEPSICO INDIA HOLDINGS PVT.LTD. ..... Respondent
Through: Mr. Harpreet Singh Ajmani, Adv.

CORAM:
HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MR. JUSTICE NAJMI WAZIRI

O R D E R

% 25.11.2016

The question of law urged is with respect to the disallowance under Section 14A of the Income Tax, 1961. The Income Tax Appellate Tribunal (ITAT) ruled in the assessee's favour concluding that the application of Rule 8D was unwarranted given that the proviso did not exist in the assessment year i.e. AY 2006-07. The Court relied upon the ruling in ***Maxopp Investments Ltd. vs Commissioner of Income Tax 347 ITR 272***.

No question of law arises. The appeal is, therefore, dismissed.

S. RAVINDRA BHAT, J

NAJMI WAZIRI, J

NOVEMBER 25, 2016/kk