IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL NO. 591 OF 2015

The Commissioner of Income Tax-6
Pune .. Appellant
v/s.

Shree Someshwar Sahakari Sakhar
Karkhana Ltd. .. Respondent

Mr. Tejveer Singh for the appellant
Mr. Ruturaj H. Gurjar for the respondent

CORAM : S.V. GANGAPURWALA &
A.M. BADAR, J.J.

DATED : 1st AUGUST, 2017

P.C.

1. The appeal pertains to Assessment Year 2009-10.

2. The Revenue has urged the following question of law :-

(i) Whether on the given facts and in the circumstances of the case, the Tribunal is correct in holding that the disallowance made by the Assessing Officer of the assessee's claim towards khodki charges was not justified?

3. It is fairly submitted by the learned Counsel for the appellant

and also the respondent that the question raised in the present appeal is covered by the judgment of this Court in a case of ***Commissioner of Income Tax Vs. Manjara Shetkari Sahakari Sakhar Karkhana Ltd. & Ors. reported in (2008) 301 ITR 0191***.

4. The learned Counsel for the respondent also relied upon the judgment of this Court in a case of ***Commissioner of Income Tax Vs. Shree Panchaganga Shetkari Sakhar Karkhana Ltd. 254 ITR 572***.

5. In the light of the above, no substantial question of law arises. The appeal is dismissed. No costs.

(A.M. BADAR, J.) **(S.V. GANGAPURWALA, J.)**