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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INCOME TAX APPEAL NO.715 OF 2015

Principal Commissioner of Income Tax, Mumbai ...Appellant
vs.
M/s.Shree Mother Capfin & Securities Pvt.Ltd. ...Respondent

Mr.Arvind Pinto for the appellant
None for the respondent

CORAM : A.S.OKA, &
A.K.MENON,JJ.
DATE : NOVEMBER 7, 2017

P.C.:

1 Heard the learned counsel for the appellant-revenue. He does not dispute that the impugned Judgment of the Income Tax Appellate Tribunal, Mumbai (for short "the Appellate Tribunal") is consistent with the decision of the Division Bench of this Court in the case of the Commissioner of Income-tax, City 4 v. HSBC Securities & Capital Markets India (P.) Ltd[1]. However, he states that a Special Leave Petition filed by the appellant before the Apex Court is pending. The decision of the Division Bench of this Court still holds the field which continues to bind this Court. Merely because a Special Leave Petition against the said decision is filed by the appellant-revenue, it will not give rise to any substantial question of law as the decision of the Appellate Tribunal is consistent

1 (2012) 23 taxman.com (Bom)

with the binding precedent of this Court.

2 Hence, there is no reason to interfere with the findings recorded by the Appellate Tribunal and accordingly, appeal is dismissed with no order as to costs.

(A.K.MENON,J.) (A.S.OKA,J.)