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

INCOME TAX APPEAL NO. 643 OF 2015

The Principal Commissioner of Income Tax-2 .. Appellant

v/s.

M/s. Rave Technologies (India) Pvt. Ltd. .. Respondent

Mr. Suresh Kumar for the appellant
Mr. Jas Sanghvi i/b PDS Legal 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 2004-05.

2. The Revenue has filed the appeal on following question of law:-

(i) Whether on the facts and in the circumstances of the case and in law, the Tribunal is correct in holding that the expenditure incurred in foreign currency towards travelling expenses, professional charges, software development charges and directly attributable to providing technical software services outside India should be excluded both from export turnover as well as total turnover for the purpose of computing

deduction u/s 10A of the I.T. Act, 1961, when there is no provision in the Act to reduce such expenses from the total turnover?

3. The learned Counsel for the appellant and the respondents are at *ad idem* that the issue involved in the present appeal is covered by the judgment of this Court in a case of the ***Commissioner of Income Tax Vs. Gem Plus Jewellery India Ltd. reported in (2011) 330 ITR 175***.

4. In view of that, no substantial question of law arises. The appeal is dismissed. No costs.

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