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

**INCOME TAX APPEAL NO. 1676 OF 2014**
**WITH**
**INCOME TAX APPEAL NO. 1704 OF 2014**

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

The Karad Janata Sahakari Bank Ltd. .. Respondent

Mr. Tejveer Singh i/b Padma Divakar for the appellant
None for the respondent

**CORAM : M.S. SANKLECHA &**
**A.K. MENON, J.J.**

**DATED : 7th MARCH, 2017.**

**P.C.**

1. All the three Appeals under Section 260-A of the Income Tax Act, 1961 (the Act) challenges the common order dated 31st January, 2014 passed by the Income Tax Appellate Tribunal (the Tribunal). The impugned order is in respect of Assessment Years 2008-09 and 2009-10. Thus, two appeals.

2. The Revenue has urged the following identical question of law in the two appeals for our consideration :-

*(i) Whether on the facts and in the circumstances of the case and in law, the Tribunal was justified in deleting the disallowance made by the Assessing Officer and confirmed by the CIT(A) of the deduction claimed by the assessee towards amortized premium paid by the bank over and above the face value of HTM securities at the time of acquisition of such Government Securities ?*

3. Mr. Tejveer Singh, learned counsel appearing for the appellant Revenue very fairly states that the issue arising in the present appeal stands concluded against the Revenue and in favour of the respondent assessee by the decision of this Court in ***Commissioner of Income Tax Vs. Thane Bharat Sahakari Bank Ltd.*** (Income Tax Appeal No.1117 of 2013) decided on 17th March, 2015.

4. In view of the above submission made on behalf of the appellant Revenue, no further examination is called for as the issue stands concluded by the decision of this Court in *Thane Bharat Sahakari Bank Ltd. (supra)*. Consequently, the questions of law as proposed do not give rise to any substantial question of law. Thus, not entertained.

5. Accordingly, all the two appeals are dismissed. No order as to costs.

**(A.K. MENON, J.)** **(M.S. SANKLECHA, J.)**