IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL NO.263 OF 2015
WITH
INCOME TAX APPEAL NO.266 OF 2015

THE COMMISSIONER OF INCOME TAX-15)...APPELLANT

V/s.

M/S.VELENTINE DEVELOPERS)...RESPONDENT

Mr.A.R.Malhotra, Advocate for the Appellant.

Mr.P.C.Tripathi i/b. Mr.A.K.Jasani, Advocate for the Respondent.

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

DATE : 10th JULY 2017

P.C. :

1 This appeals pertain to Assessment Years 2006-2007 and 2007-08. We have heard Mr.Malhotra, the learned counsel for the appellant and the learned counsel for the respondent.

2 Upon hearing the learned counsel, it appears that the issues raised in the present appeals are covered by the judgment

of Apex Court in the case of **Commissioner of Income Tax vs. Sarkar Builders** reported in **[2015] 375 ITR 392** and of this court in the case of **Brahma Associates reported in 333 ITR 289.**

3 The Tribunal has considered the said judgment of this court in **Brahma Associates (supra).**

4 In light of the above, the issues raised in the present appeals are not res integra and the same stand adjudicated against the Revenue, in view of the aforesaid judgments.

5 The appeals are, as such, dismissed. No costs.

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