

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

INCOME TAX APPEAL NO. 128 OF 2015

Commissioner of Income Tax-16	.. Appellant
v/s.	
M/s. Chaitya	.. Respondent

Mr. Sham Walve for the appellant
Ms. Aarti Vissanji for the respondent

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

DATED : 7th JULY, 2017

P.C.

1. The learned Counsel for the appellant and the learned Counsel for the respondent submits that the question raised in the present appeal is covered by the judgment of this Court in Income Tax Appeal No.278 of 2014, dated 1st October, 2016 and the said question is decided in favour of the assessee and against the Revenue.
2. In view of that, no substantial question of law arises.
3. The Appeal is dismissed. No costs.

(A.M. BADAR, J.)

(S.V. GANGAPURWALA, J.)