THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

I.T.T.A.No.723 of 2017

Date: 28.11.2017

Between:

The Director of Income Tax (Exemptions)
Hyderabad … Appellant

And

The Agricultural Market Committee,
Armoor,
Nizamabad district … Respondent

Counsel for the Appellant : Mr. J.V.Prasad,
Senior Standing Counsel
for Income Tax Department

Counsel for the Respondents : ----------

The Court made the following:

Judgment: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

The following substantial question of law has been raised in this appeal by the revenue:

> "Whether on facts and in the circumstances of the case, having regard to the definition of 'charitable purpose' in Section 2 (15) of the Income Tax Act, 1961, as amended by Finance Act, 2008, w.e.f. 01-04-2009, the Tribunal is right in law in holding that the assessee has to be granted registration u/w. 12AA of the Income Tax Act, 1961?".

2. At the hearing, Mr.J.V.Prasad, learned Senior Standing Counsel for Income Tax Department, submitted that in respect of Market Committees belonging to Adilabad district, orders passed in their favour, holding that they are entitled to grant of registration under Section 12AA of the Income Tax Act, 1961, have been upheld by this Court. He has placed before us, one such order in I.T.T.A.No.346 of 2014, pertaining to Agricultural Market Committee, Adilabad district. It is not in dispute that the objects of the respondent Agricultural Market Committee, are identical to that of other Agricultural Market Committees of Adilabad district. As the orders in favour of some Agricultural Market Committees have attained finality and as the substantial question of law has already been decided, we do not find any such question of law arising in this appeal.

3. Hence, the appeal is dismissed.

(C.V.Nagarjuna Reddy, J)

(T.Amarnath Goud, J)

Date: 28th November, 2017

msb

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
सत्यमेव जयते