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

INCOME TAX APPEAL NO.451 OF 2016

The Pr. Commissioner of Income-tax-2 … Appellant

V/s.

Player X Mobile Entertainment (India) Pvt. Ltd. … Respondent

Mr.Suresh Kumar for the Appellant.
Mr.Rohan Deshpande i/by Mr.Mihir Naniwadekar for the Respondent.

CORAM : AKIL KURESHI AND
M.S.SANKLECHA, JJ.

DATE : NOVEMBER 19, 2018.

P.C.:-

1. This Appeal under Section 260-A of the Income Tax Act, 1961 (the Act), challenges the order dated 25th August, 2015 passed by the income Tax Appellate Tribunal (the Tribunal). This Appeal relates to Assessment Year 2009-10.

2. Mr.Suresh Kumar, learned counsel appearing for the Revenue urges the following reframed question of law for our

consideration:-

> "Whether the facts and circumstances of this case and law the Tribunal was correct in allowing deductions under Section 10A of the Act without setting off of brought forward business losses and unabsorbed depreciation pertaining to the assessment year 2008-09?"

3. Mr.Suresh Kumar, learned counsel appearing for the Revenue very fairly states that the above issue stands concluded against Revenue by the decision of the Supreme Court in case of **Commissioner of Income-tax Vs. Yokogawa India Limited**[1]

4. In the above circumstances, the question as proposed does not give rise to a substantial question of law.

5. Accordingly, Appeal is dismissed.

(M.S.SANKLECHA,J.) **(AKIL KURESHI,J.)**

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