Sharayu Khot.

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

INCOME TAX APPEAL NO. 1032 OF 2015

Pr. Commissioner of Income tax - 10 **...Appellant**

Versus

M/s. Infowavz International Pvt.Ltd. **...Respondent**

Mr. Tejveer Singh, for the Appellant.

CORAM : M.S. SANKLECHA & RIYAZ I. CHAGLA, JJ.

DATE : 20 February 2018

ORDER :

1. Heard.

2. This Appeal under Section 260A of the Income Tax Act, 1961 ("***the Act***" for short) challenges the order dated 25

November 2014 passed by the Income Tax Appellate Tribunal ("***Tribunal***" for short). This Appeal relates to the assessment year 2009-10.

3. The Revenue has urges the following question of law for our consideration:-

> Whether on the facts and in the circumstances of the case and in law, the Tribunal was justified in allowing deduction under Section 10A without setting off the brought forward business losses and unabsorbed depreciation?

4. Mr. Tejveer Singh, learned Counsel appearing for the Revenue, very fairly states that the issue raised herein stands concluded against the Appellant-Revenue and in favour of the Respondent-Assessee. This in view of the decision of this Court in ***Commissioner of Income Tax Vs. Black & Veatch Consulting (P.) Ltd.***[1] and of the Apex Court in ***Commissioner***

1 (***2012)20 taxmann.com 727 (Bom.)***

of Income Tax Vs. Yokogawa India Ltd.[2].

5. In the above view, the above question as proposed does not give rise to any substantial question of law. Thus, not entertained.

6. Accordingly, the Appeal is dismissed, with no order as to costs.

[RIYAZ I. CHAGLA J.] **[M.S. SANKLECHA, J.]**

2 ***(2017)391 ITR 274***