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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ ITA 646/2018 & CM APPL. 22629/2018

THE PR. COMMISSIONER OF INCOME TAX -4 ..... Appellant
Through: Mr. Ruchir Bhatia, Advocate.

versus

GVK PROJECT & TECHNICAL SERVICES LTD. ..... Respondent
Through: Mr. Kamal Sawhney, Mr. Prashant Meharchandani and Mr. Upkar Agrawal, Advocates.

CORAM:
HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MR. JUSTICE A. K. CHAWLA

O R D E R

% **28.05.2018**

The Revenue's appeal is with respect to the disallowance made by the Assessing Officer ('AO') under Section 14-A of the Income Tax Act, 1961 (hereafter 'the Act'). The AO had proceeded to calculate the disallowance based upon the investments made by the assessee. The CIT(A) and the Income Tax Appellate Tribunal (ITAT) allowed the assessee's appeals by following the ruling in *'Cheminvest Limited vs. Commissioner of Income Tax-VI'*, (2015) 378 ITR 33; the Court had then held that in the absence of any exempt income disallowance was impermissible. For the relevant Assessment Year (2013-14), concededly, the assessee did not report any exempt income. Consequently, no substantial question of law arises; the appeal is therefore dismissed along with the pending application.

S. RAVINDRA BHAT, J

A. K. CHAWLA, J

MAY 28, 2018/nn