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

\+ ITA 1351/2018

PR. COMMISSIONER OF INCOME TAX DELHI -2 ..... Appellant

Through: Mr. Zoheb Hossain, Sr. Standing Counsel.

versus

M/S BHARTIYA SAMRUDHI INVESTMENT AND CONSULTING LTD. ..... Respondent

Through:

CORAM:
HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

<u>O R D E R</u>

% 30.11.2018

<u>CM APPL. 50064/2018</u>

Delay in re-filing is condoned and the application for delay in re-filing is accordingly allowed.

<u>ITA 1351/2018</u>

The issue raised in the present appeal pertains to disallowance under Section 14A of the Income Tax Act, 1961 and whether the disallowance can exceed the exempt income. The issue is covered against the Revenue by several decisions of this court, latest one being decision dated 22.10.2018 in ITA No. 725/2018 in the case of ***Pr. Commissioner of Income Tax-6, New Delhi vs. McDonald's India Pvt. Ltd.***

Accordingly, the appeal is dismissed.

SANJIV KHANNA, J.

ANUP JAIRAM BHAMBHANI, J.

NOVEMBER 30, 2018/*uj*