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

\+ ITA 768/2017

PR.COMMISSIONER OF INCOME TAX-4 ..... Appellant

Through: Mr. Ruchir Bhatia, Advocate.

Versus

M/S HERO CORPORATE SERVICE LTD. ..... Respondent

Through: None.

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

O R D E R

% **30.01.2018**

The ITAT in this case confirmed the CIT (A)'s decision. The appellate Commissioner set aside the disallowance made under Section 14A holding that the explanation of the assessee and the amount offered to tax under Section 14A could not have been rejected by the Assessing Officer in the manner that he did. Besides the fact that the findings are concurrent, the Court is of the opinion that the facts of this case are such that no interference is called for. As against the exempt income of ₹48,447/-, the assessee had itself offered ₹2,58,620/- as disallowance. The Assessing Officer, however, disallowed the astronomically high figure of ₹3,57,82,473/-. In these circumstances, the concurrent view of the lower appellate authorities based upon the settled principle enunciated in previous authorities cannot be faulted. The appeal is accordingly dismissed.

S. RAVINDRA BHAT, J

A. K. CHAWLA, J

JANUARY 30, 2018/*vikas*/