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

INCOME TAX APPEAL NO.839 OF 2017

The Pr. Commissioner of Income Tax-9 … Appellant
V/s.
M/s Bunge India Pvt. Ltd. … Respondent

Mr.Tejveer Singh Mastan Singh for the Appellant.
Mr.Sanjiv M. Shah for the Respondent.

CORAM : AKIL KURESHI AND
S.J.KATHAWALLA, JJ.
DATE : JUNE 03, 2019.

P.C.:-

1. Appeal is admitted for consideration of following substantial question of law:-

> "Whether on the facts and circumstances of the case and in law, the ITAT was correct in allowing deduction claimed on account of provision towards employee stock option plan?"

2. We notice that the revenue has also questioned the transfer pricing adjustment of an international transaction by the assessee with an associated enterprise and questions were framed in this respect in this appeal. However, in case of this very assessee by separate order passed today in Income Tax Appeal No.445 of

2017, we have not entertained these questions. This appeal is therefore confined to above noted substantial question of law framed.

3. Learned counsel Mr.Shah waived notice.

4. To be heard with Income Tax Appeal No. 1401 of 2014.

5. Registry is directed to communicate a copy of this order to the Tribunal. This would enable the Tribunal to keep the papers and proceedings relating to the present appeal available, to be produced when sought for by the Court.

(S.J.KATHAWALLA,J.) **(AKIL KURESHI,J.)**

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