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

\+ **ITA 731/2019**

PR. COMMISSIONER OF INCOME TAX, CENTRAL-1
..... Appellant

Through: Mr.Ruchir Bhatia, Sr. Standing Counsel.

versus

M/S ROSEMERTA TECHNOLOGIES PVT. LTD...... Respondent

Through: None.

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE TALWANT SINGH

ORDER

% **06.08.2019**

1. The Revenue is in appeal against an order dated 7th December 2018 passed by the ITAT in ITA 2664/Mum/2016 for the Assessment Year (AY) 2007-08.

2. The short question is whether the legal and professional fees taken by the Assessee to the profit and loss account for obtaining of new licences in other states ought to be treated as revenue expenditure as held by the CITA and ITAT concurrently or should be treated as capital expenditure as has been contended by the Revenue?

3. Having heard learned counsel for the Revenue the Court is satisfied that no legal error has been committed by the CITA and ITAT in holding the above expenditure to be revenue expenditure. No

substantial question of law arises.

4. The appeal is dismissed.

S. MURALIDHAR, J.

TALWANT SINGH, J.

AUGUST 06, 2019 / tr