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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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ITA No.132 of 2001
Date of Decision: 05.02.2020

M/s V.S. Contractor & Developers Pvt. Ltd., Chandigarh

Appellant

Versus

Commissioner of Income Tax, Chandigarh and another

Respondents

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI
HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Alok Mittal, Advocate
for the appellant-assessee.

Ms. Urvashi Dhugga, Sr. Standing Counsel
for the Revenue.

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AJAY TEWARI, J. (Oral)

[1] This appeal has been filed under Section 260A of the Income Tax Act, 1961 against the order of the Income Tax Appellate Tribunal, Chandigarh in ITA No.1108/Chandi/91, claiming depreciation for the assessment in year 1988-89 which was denied as it was not available in that year in view of C.B.D.T. Circular dated 30.08.1965.

[2] In our considered opinion, the depreciation must have been claimed in the subsequent year and infact assessment order which is appended with the appeal as Annexure P-4, itself indicates so.

[3] Learned counsel for the appellant states that this is an old case and he is unable to contact the client.

[4] In the circumstances, we dismiss the appeal as not pressed with liberty to the appellant to revive, if something survives therein.

[5] Since the appeal is dismissed, the pending application, if any, stands disposed of.

[AJAY TEWARI]
JUDGE

[AVNEESH JHINGAN]
JUDGE

February 05, 2020
pankaj baweja

1. Whether speaking/ reasoned : Yes / No
2. Whether reportable : Yes / No