

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INCOME TAX APPEAL NO.1283 OF 2008

The CIT-24)..Appellant

V/s.

M/s.Mahavir Construction Co.)..Respondents

Mr.R.Asokan for the appellant.

Ms.Aasifa Khan for the respondents.

Coram : F.I.Rebello & R.S.Mohite, JJ

Date : 16.02.2009.

PC

1. Admit on the following question :-

(A) Whether on the facts and in the circumstances of the case and in law the Hon'ble Tribunal was justified in deleting the addition of Rs.16,80,260/- made in the case of Assessee which was based on the seized papers and statements of the partners recorded during the course of search and not on estimates, surmises or conjunctures as held by the Hon'ble ITAT ?

2. Respondents waive service.

(R.S.Mohite, J)

(F.I.Rebello, J)