210 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2024:PHHC:122289-DB

ITA-394-2014 (O&M)
Date of Decision: 17.09.2024

M/s Vishal Paper Industries …Appellant

Vs.

Commissioner of Income Tax, Patiala …Respondent

ITA-484-2017 (O&M)
Date of Decision: 17.09.2024

M/s Vishal Paper Industries …Appellant

Vs.

Assistant Commissioner of Income Tax, Patiala …Respondent

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Ms. Radhika Suri, Sr. Advocate with
Mr. Abhinav Narang, Advocate for the appellant(s).
Mr. Amanpreet (A.P.), Singh, Sr. Standing Counsel
for the respondent.

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SANJEEV PRAKASH SHARMA, J.(Oral)

1. Both the counsel are *ad-idem* that the issue involved in the present appeals stands finally adjudicated by this Court in ITA-194-2012, decided on 02.04.2024.

2. This Court in ITA-194-2012, examined the issue relating to the interest part and passed the following order:-

> *"Thus, it was pointed out that there is a mistake in the calculation done by the AO. The AO in his demand report states that the order dated 31.03.2010 of rectification under Section 154 of the Act modified the figure to Rs.15,61,828/- and the appellant was allowed a relief of Rs.7,88,734/- on account of interest on borrowed capital attributable to assets not put in use."*

3. Similar mistake is found to have been committed in the present appeals for the AY: 2008-09 and 2009-10.

4. Keeping in view that we have passed the aforesaid order in relation to AY: 2007-08, the order passed on 02.04.2024, in ITA-194-2012, shall apply *mutatis mutandis* for the AY: 2008-09 and 2009-10.

5. The appeals are accordingly disposed of.

6. All pending applications also stand disposed of accordingly.

(SANJEEV PRAKASH SHARMA)
JUDGE

(SANJAY VASHISTH)
JUDGE

17.09.2024
rajesh

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