IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

ITA-53-2021 (O&M)
Date of Decision:-**07.04.2025**

PR. COMMISSIONER OF INCOME TAX, PANCHKULA

… Appellant

Versus

M/S HARYANA STATE CO-OPERATIVE AGRICULTURAL AND RURAL DEVELOPMENT BANK LIMITED

... Respondents

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CORAM: HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MR. JUSTICE ALOK JAIN

Present:- Mr. Saurabh Kapoor, Advocate and
Ms. Muskaan Gupta, Advocate
for Income Tax Department-Appellant.

Ms. Radhika Suri, Senior Advocate with
Mr. Abhinav Narang, Advocate and
Ms. Parnika Singla, Advocate
for the respondent.

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LISA GILL J.(Oral)

1. Prayer in this appeal is for setting aside order dated 20.12.2019 passed by learned Income Tax Appellate Tribunal, Chandigarh Bench “A” Chandigarh, (for short ‘Tribunal’) whereby order dated 28.05.2018 passed by Commissioner of Income Tax (Appeals), Panchkula has been upheld.

2. Appeal filed by assessee, challenging order dated 04.01.2016 passed by Assessing Officer, was allowed by Commissioner of Income Tax (Appeals), Panchkula vide order dated 28.05.2018, which was upheld by learned Tribunal on 2012.2019. Learned counsel for respondent-assessee

submits that respondent-assessee has been rightly held entitled to deduction under Section 80P(2)(a)(i) of the Income Tax Act, raised through letter during assessment proceedings before the Assessing Officer, even though there was no claim either in return of Income or even in the revised return of Income. She submits that matter is squarely covered in favour of assessee in view of decision of this Court in **Commissioner of Income Tax vs. Ramco International, IT Appeal No.417-2008 decided on 08.12.2008** and Hon'ble the Supreme Court in **Kerala State Co-Operative Agricultural & Rural Development Bank Ltd. vs. Assessing Officer (2023) 458 ITR384 (SC)**, (Annexure R-3). It is further submitted that in view thereof none of the other grounds as are raised would survive for consideration.

3. Learned counsel for appellant does not deny the same and in fact candidly accepts the position as above.

4. Keeping in view the facts and circumstances as above, this appeal is dismissed. Order dated 20.12.2019 passed by learned Tribunal is upheld.

5. Pending miscellaneous application(s), if any, are disposed of accordingly.

(LISA GILL)
JUDGE

(ALOK JAIN)
JUDGE

07.04.2025
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No