(2010) 10 P&H CK 0264

In the Punjab And Haryana At Chandigarh

Case No : Income Tax A. No. 283 of 2004

Teeknits APPELLANT

Vs

Commissioner of Income Tax RESPONDENT

Date of Decision : 13-10-2010

Acts Referred:

Income Tax Act, 1961 — Section 260A, 80HHC(1), 80HHC(3)

Citation : (2010) 10 P&H CK 0264

Hon'ble Judges : Ajay Kumar Mittal, J;Adarsh Kumar Goel, J

Bench : Division Bench

Final Decision : Dismissed

Judgement

Adarsh Kumar Goel, J.—This appeal has been preferred by the Assessee u/s 260A of the Income Tax Act, 1961 (for short, "the Act") against the order dated 27.10.2004 of the Income Tax Appellate Tribunal, Chandigarh in I.T.A. No. 37/CHANDI/2001 for the assessment year 2000-01 proposing to raise following substantial questions of law:

i. That whether under the facts and circumstances of the case, the Tribunal has committed an error by disposing off the appeal in a summary manner by mentioning that both the parties have admitted applicability of the decision of IPCA Laboratory Ltd. Vs. Deputy Commissioner of Income Tax, Mumbai, to the facts of this case.

ii. That whether under the facts and circumstances of the case, the Tribunal has mis-read and mis interpreted the provision of law vis-?-vis without going into the details bringing out the facts of this case and that of IPCA Laboratory Ltd. Vs. Deputy Commissioner of Income Tax, Mumbai, .

iii. That whether the Tribunal is justified in law in holding that the net loss u/s 80HHC(3) a, b & c is to be adjusted against the export incentive read with the proviso to the said Sub-section for the purpose of deduction u/s 80HHC(1).

2. Learned Counsel for the Appellant fairly states that identical appeal being I.T.A. Nos. 284 and 285 of 2004 Teeknits v. CIT has been dismissed by this Court on 7.10.2010.

3. Accordingly, this appeal is dismissed.

