

**IN THE INCOME TAX APPELLATE TRIBUNAL  
DIVISION BENCH 'A', CHANDIGARH**

BEFORE SHRI SANJAY GARG, JUDICIAL MEMBER  
AND SHRI B.R.R. KUMAR, ACCOUNTANT MEMBER

**ITA No.1246/Chd/2017**  
(Assessment Year : 2013-14)

The A.C.I.T.,  
Panchkula Circle,  
Panchkula.

Vs.

M/s IPF Vikram India Ltd.,  
Plot No.380, Ph-I, Indl. Area,  
Panchkula.

(Appellant)

PAN: AAACI3719F  
(Respondent)

Appellant by : Shri J.S. Kahlon, Sr. DR  
Respondent by : Shri Tej Mohan Singh, Adv.

Date of hearing :13.04.2018

Date of Pronouncement :15.06.2018

**ORDER**

**Per Sanjay Garg, Judicial Member :**

This appeal has been preferred by the assessee against the order of Ld. Commissioner of Income Tax (Appeals), Panchkula (hereinafter referred to as ('Ld.CIT (Appeals)') dated 22.6.2017, passed u/s 250(6 of the Income Tax Act, 1961 (in short 'the Act') in Appeal No.50/PKL/16-17 relating to assessment year 2013-14.

2. The only issue involved in this appeal is relating to the disallowance made u/s 14A of the Income-tax Act, 1961 (in short 'the Act') read with Rule 8D(2)(ii) of the I.T. Act.

3. At the outset, Ld. Counsel for the assessee has invited our attention to the impugned order of the CIT(A) and pointed out that for the impugned assessment year there was no tax exempt income earned by the assessee. The Ld. CIT(A) following the principles laid down by the Hon'ble

Jurisdictional High Court of Punjab & Haryana in the case of 'CIT, Faridabad Vs. Lakhani Marketing Inc.' 226 Taxman 45 (P&H) deleted the additions made by the Assessing officer on this issue. The Ld. counsel has further submitted that the issue is now squarely covered by the numerous decisions of the various High Courts including that of the Jurisdictional High Court of Punjab and Haryana in the case of 'CIT Vs. Winsome Textiles' (2009) 319 ITR 204 (P&H), Hon'ble Delhi High Court in the case of 'Cheminvest Ltd Vs. ITO' (2015) 378 ITR 33 (Delhi) and of the Hon'ble Gujarat High Court in the case of 'Corrtech Energy P. Ltd. (2014) 45 Taxman.com 116' and further of the Hon'ble Allahabad High Court in the case of 'CIT Vs. M/s Shivam Motors (P) Ltd' (2014) 272 CTR (All) 277 and various other case laws. In all the above referred to case laws, the Hon'ble High Courts have been unanimous to hold that no disallowance is attracted u/s 14A of the Act in case the assessee has not earned any income not forming part of the total income.

4. In view of the above discussion, we do not find any infirmity in the order of the CIT(A), the same is therefore upheld.

5. In the result the appeal of the Revenue is hereby dismissed.

Order pronounced in the open court on 15.06.2018

Sd/-  
**(B.R.R. KUMAR)**  
**ACCOUNTANT MEMBER**

Sd/-p  
**(SANJAY GARG)**  
**JUDICIAL MEMBER**

Dated : 15<sup>th</sup> June, 2018  
\*Rati\*

Copy to:

1. The Appellant
2. The Respondent
3. The CIT(A)
4. The CIT
5. The DR

Assistant Registrar,  
ITAT, Chandigarh