

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/-

(ANNAPURNA GUPTA)
ACCOUNTANT MEMBER

Sd/-

(SANJAY GARG)
JUDICIAL MEMBER

Dated : 15th 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