

आयकर अपीलीय अधिकरण, 'बी' न्यायपीठ, चेन्नई  
IN THE INCOME TAX APPELLATE TRIBUNAL  
'B' BENCH : CHENNAI

श्री जॉर्ज माथन, न्यायिक सदस्य के समक्ष  
एवं ए. मोहन अलंकामणी, लेखा सदस्य

BEFORE SHRI GEORGE MATHAN, JUDICIAL MEMBER & SHRI  
A.MOHAN ALANKAMONY, ACCOUNTANT MEMBER

आयकर अपील सं./I.T.A.No.2115/Chny/2018

निर्धारण वर्ष /Assessment year : 2014-15

The Deputy Commissioner of  
Income Tax,  
Non Corporate Circle-2,  
Chennai.

**Vs. Shri Kesari Sanjey Kundalia,**  
Old No.114,New No.36,  
G.N.Chetty Road,T.Nagar,  
Chennai.

(अपीलार्थी/Appellant)

**[PAN APDPS 7301 G]**  
(प्रत्यर्थी/Respondent)

अपीलार्थी की ओर से/ Appellant by  
प्रत्यर्थी की ओर से /Respondent by

: Mr.Guru Bashyam,JCIT,D.R  
: Mr.Karunakaran,Advocate

सुनवाई की तारीख/Date of Hearing

: 01-01-2019

घोषणा की तारीख /Date of Pronouncement

: 01-01-2019

**आदेश / ORDER**

**PER GEORGE MATHAN, JUDICIAL MEMBER**

This is an appeal filed by the Revenue against the order of the Commissioner of Income-tax (Appeals)-2, Chennai in ITA No.218/2016-17/A.Y.2014-15/CIT(A)-2 dated 16.05.2018 for the assessment year 2014-15.

2. Mr.Karunakaran represented on behalf of the Assessee and Mr.Guru Bashyam represented on behalf of the Revenue.

3. It was submitted by Id.D.R that the appeal was against the action of Ld.CIT(A) in restricting the disallowances made u/s.14A of the Income Tax Act, 1961 read with Rules 8D of the Income Tax Rules, 1962 to the extent of exempt income earned. It was a submission that the Ld.CIT(A) had followed the decision of the Co-ordinate 'B' Bench of Chennai Tribunal in assessee's own case in ITA No.1515/Mds/2016 & 1666/Mds/2017 for assessment years 2012-13 & 2013-14 dated 21.12.2017 wherein the Tribunal had followed the decision of Hon'ble Delhi High Court in the case of Joint Investment P. Ltd. Vs. CIT in 372 ITR 694 (Delhi). It was a submission that the order of the CIT(Appeals) was liable to be reversed.

4. In reply, the Id.A.R vehemently supported the order of the Id.CIT(Appeals).

5. We have considered the rival submissions. As it is noticed that Ld.CIT(A) has followed the decision of Co-ordinate Bench of this Tribunal in assessee's own case for assessment years 2012-13 & 2013-

14 dated 21.12.2017 wherein the Tribunal had followed the decision of Hon'ble Delhi High Court in the case of Joint Investment P. Ltd. Vs. CIT in 372 ITR 694 (Delhi), we find no reason to interfere with the order of the CIT(Appeals). Consequently, the appeal filed by the Revenue stands dismissed.

6. In the result, the appeal of the Revenue is dismissed.

Order pronounced in the open court on 01 January, 2019, at Chennai.

Sd/-

(ए. मोहन अलंकामणी)

(A.MOHAN ALANKAMONY)

**लेखा सदस्य /ACCOUNTANT MEMBER**

चेन्नई/Chennai

दिनांक/Dated: 01 January, 2019.

**K S Sundaram**

Sd/-

( जॉर्ज माथन)

**(GEORGE MATHAN)**

**न्यायिक सदस्य/JUDICIAL MEMBER**

आदेश की प्रतिलिपि अग्रेषित/Copy to:

1. अपीलार्थी/Appellant

2. प्रत्यर्थी/Respondent

3. आयकर आयुक्त (अपील)/CIT(A)

4. आयकर आयुक्त/CIT

5. विभागीय प्रतिनिधि/DR

6. गार्ड फाईल/GF