

deduction u/s 80P for the reason that the assessee is registered under Karnataka Souharda Sahakari Act, 1997. To this extent, I set aside the order of CIT (A) in both years. After holding so, I restore the issue about allowability of deduction u/s 80P in both years to the file of the AO to decide the issue about allowability of deduction u/s 80P after examining this aspect as to whether the assessee is satisfying other conditions of section 80P of I. T. Act and pass necessary order as per law after providing adequate opportunity of being heard to the assessee in both years.”

5. Respectfully following this Tribunal order, I hold that learned CIT(A) is not justified in holding that the assessee is not eligible for deduction under section 80P of the IT Act 1961 for the reason that the assessee is registered under Karnataka Souharda Sahakari Act, 1997. To this extent, I set aside the order of the learned CIT(A). After holding so, I restore the issue about allowability of deduction under section 80P of the IT Act, 1961 to the file of the AO to decide the issue after examining this aspect as to whether the assessee is satisfying other conditions of section 80P of the IT Act, 1961 and pass necessary order as per law after providing adequate opportunity of being heard to the assessee.

6. In the result, assessee's appeal for Assessment Year 2015-16 is allowed for statistical purposes.

Pronounced in the open court on the date mentioned on the caption page.

Sd/-

(A. K. GARODIA)
Accountant Member

Bangalore.

Dated: 10th January, 2020.

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|-------------------------|---------------|
| 1. Appellants | 2. Respondent |
| 3. CIT | 4. CIT(A) |
| 5. DR, ITAT, Bangalore. | 6. Guard file |

By order

Assistant Registrar,
ITAT, Bangalore.