

**IN THE INCOME TAX APPELLATE TRIBUNAL
“A” BENCH : BANGALORE**

**BEFORE SHRI A. K. GARODIA, ACCOUNTANT MEMBER AND
SHRI PAVAN KUMAR GADALE, JUDICIAL MEMBER**

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| ITA Nos.1431 and 1432/Bang/2017 |
| Assessment years : 2013-14 and 2014-15 |

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| Income Tax Officer, Ward – 4(1)(3), 2 nd Floor, BMTC Building, 80 Feet Road, 6 th Block, Koramangala, Bengaluru – 560 095. | Vs. | M/s. Minnow Trading Co. Pvt. Ltd., 8 th Floor, “The Estate”, No.121, Dickenson Road, Bengaluru – 560 042. PAN : AABCM 0207 B |
| APPELLANT | | RESPONDENT |

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| Revenue by | : | Shri. Manjeet Singh, Addl. CIT (DR)(ITAT), Bengaluru |
| Assessee by | : | Shri. Ganesh Raj, CA |

| | | |
|-----------------------|---|------------|
| Date of hearing | : | 30.01.2020 |
| Date of Pronouncement | : | 20.02.2020 |

ORDER

Per A.K. Garodia, Accountant Member

These two appeals are filed by the Revenue and the same are directed against two separate orders of learned CIT(A)-4, Bengaluru, dated 24.03.2017 for the Assessment Years 2013-14 and 2014-15. Both these appeals were heard together and are being disposed of by way of this common order for the sake of convenience

2. In both years, the Revenue has raised several grounds of appeal but the only grievance of the Revenue in these two appeals is that learned CIT(A) was not justified in deleting the addition made by the AO in respect of accrued

interest @ 18% on the investments made by the assessee in partnership firms towards capital contribution and the addition is of Rs.2,09,06,987/- in each of these two years.

3. In the course of hearing, learned DR of the Revenue supported the Assessment Orders whereas learned AR of the assessee supported the orders of CIT(A). He also submitted that the issue involved in both these years is covered in favour of the assessee by the Tribunal order in assessee's own case for Assessment Years 2011-12 and 2012-13 in ITA Nos.951 and 952/Bang/2016 dated 02.06.2017. He submitted a copy of this Tribunal order and pointed out that in this Tribunal order, the Tribunal has followed earlier order of the Tribunal in assessee's own case for Assessment Year 2009-10 in ITA No.901/Bang/2013 dated 18.03.2014 and reproduced the relevant para of that order of the Tribunal. He also submitted that there is no difference in facts in the present year.

4. We have considered the rival submissions. We find that learned CIT(A) has deleted the addition made by the AO by following the Tribunal order in assessee's own case for several years including Assessment Years 2010-11, 2011-12 and 2012-13. No difference in facts could be pointed out by learned DR of the Revenue and hence, we find no reason to take a contrary view. Respectfully following earlier orders of the Tribunal, we decline to interfere in the order of the CIT(A) in the two years.

5. In the result, both the appeals of the Revenue are dismissed.

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

Sd/-
(PAVAN KUMAR GADALE)
Judicial Member

Sd/-
(A.K. GARODIA)
Accountant Member

Bangalore,
Dated: 20th February, 2020.
/NS/*

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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.