

IN THE INCOME TAX APPELLATE TRIBUNAL
'B' BENCH : BANGALORE
BEFORE SHRI. B. R. BASKARAN, ACCOUNTANT MEMBER
AND
SMT. BEENA PILLAI, JUDICIAL MEMBER

ITA 1372/Bang/2019
Assessment Years : 2011 - 12

The Asst. Commissioner of Income Tax, Circle - 5(2) (1), Room No. 316, 3 rd Floor, BMTc Building, 6 th Block, Koramangala, Bangalore-560 095.	Vs.	M/s National Co-operative Bank Ltd., No.73/1, Gandhi Bazar Main Road, Bangalore-560 004. PAN - AAABT 0126 C
APPELLANT		RESPONDENT

Appellant by	:	Shri. Priyadarshi Misra, JCIT - DR
Respondent by	:	None

Date of Hearing	:	02-03-2020
Date of Pronouncement	:	13-03-2020

ORDER
PER BEENA PILLAI, JUDICIAL MEMBER

Present appeal has been filed by revenue against order dated 28/03/2019 passed by Ld.CIT(A)-5, Bangalore for assessment year 2011-12 on following grounds of appeal:

- disallowance of amortisation of premium amounting to Rs.55,67,100/-.

3. Aggrieved by additions made, assessee preferred appeal before the Ld.CIT(A).

4. Ld.CIT(A) observed that identical issues was decided in assessee's own case for assessment year 2013-14 and 2014-15, wherein Ld.CIT(A) allowed assessee's grounds by following decision of *Hon'ble Karnataka High Court* in case of *Karnataka Bank Ltd. vs ACIT* reported in (2013) 356 ITR 549, and, decision of coordinate bench of this *Tribunal* in assessee's own case for assessment year 2007-08 and 2008-09. He thus relied upon orders in assessee's own case for preceding assessment years and allowed claim of assessee.

5. Aggrieved by order of Ld. CIT (A), revenue is in appeal before us now.

6. Admittedly, grounds raised by revenue is only to keep the issues alive, as, it very categorically states that decisions relied upon by Ld.CIT(A) of *Hon'ble Karnataka High Court* as well as coordinate bench of this *Tribunal* has not been accepted by the Department.

7. Be that as it may on perusal of order passed by Ld.CIT(A), it is observed that, both issues has been allowed in favour of assessee by following plethora of decisions.

8. It is observed that, in assessee's own case for assessment year 2007-08 and 2008-09 this *Tribunal* following various decisions has allowed the claim of assessee on amortisation of premium debited to profit and loss account. Insofar as issue of depreciation on investment allowance is concerned, issue stands