

**IN THE INCOME TAX APPELLATE TRIBUNAL
HYDERABAD BENCHES "B" : HYDERABAD**

**BEFORE SMT. P. MADHAVI DEVI, JUDICIAL MEMBER
AND
SHRI A. MOHAN ALANKAMONY, ACCOUNTANT MEMBER**

I.T.A. No. 464/HYD/2018
Assessment Year: 2013-14

Dy. Commissioner of Income-tax,
Circle – 2(2), Hyderabad. Vs Head Infotech India Pvt.
Ltd., Hyderabad.

(Appellant) PAN – AABCH 6629 L
(Respondent)

For Revenue : Shri S Rajat Mitra

For Assessee : Shri Pawan Kumar Chakrapani

Date of Hearing : 15-09-2020
Date of Pronouncement : 29-09-2020

ORDER

PER Smt. P. MADHAVI DEVI, J.M. :

This is revenue's appeal for the AY.2013-14 against the order of the Commissioner of Income Tax (Appeals) - 2, Hyderabad, dated 01/12/2017. The grounds of appeal raised by the revenue are as under:

- 1) The CIT(A) erred in both facts of the case and in law.*
- 2) Whether, on the facts and circumstances of the case, the CIT(A) is correct in law in allowing the finance expenses even though the same was not incurred wholly and exclusively for the purpose of business of the assessee company.*

3) Whether, on the facts and circumstances of the case, the CIT(A) is correct in law allowing the finance expenses even though there was no commercial expediency.

4) Whether, on the facts and circumstances of the case, the CIT(A) is correct in law in deleting the addition made on account of disallowance u/s 14A on the ground that no exempt income was received during the previous year which is against the CBDT circular No. 05/2014.

5) Any other ground that may urge during the course of appellate proceedings.”

2. At the time of hearing through Video Conferencing, the Id. Counsel for the assessee pointed out that the above grounds of appeal raised by the revenue are not emanating either from the AO's order or from the CIT(A)'s order. The Id. DR also admitted that these grounds are not emanating from the assessment order, as the additions made by the AO were u/s 40(a)(ia) and 36(1)(va) of the Act and no disallowance/addition was made u/s 14A of the Act. In view of the same, the appeal of the revenue is dismissed as not maintainable.

3. In the result, appeal of the revenue is dismissed.

Order pronounced in the open court on 29thSeptember, 2020

**Sd/-
(A. MOHAN ALANKAMONY)
ACCOUNTANT MEMBER**

**Sd/-
(P. MADHAVI DEVI)
JUDICIAL MEMBER**

Hyderabad, Dated: 29th September, 2020
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Copy to :

- 1. DCIT, Circle – 2(2), Room No. 513, 5th Floor, Signature Towers, Kondapur, Hyderabad.**
- 2. M/s Head Infotech India Pvt. Ltd., P. No. 17, Left Wing, 6th Floor, Auriga Block, The V Software Unit Layout, Madhapur, Hyderabad.**
- 3. CIT(Appeals) - 2, Hyderabad.**
- 4. The Pr.CIT - 2, Hyderabad.**
- 5. D.R. ITAT, Hyderabad.**
- 6. Guard File.**