
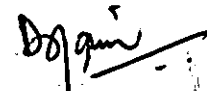




Sr. No.	Date	Orders
	1-7-2000	<p>Present: Mr. K.P. Bhatnagar for the Petitioner. Mr. R.D. Jolly for the Revenue.</p> <p><u>CM 683/2000</u> ( for early hearing)</p> <p>Application allowed.</p> <p><u>ITR-265/83</u></p> <p>This reference application is taken up for disposal at the request of the learned counsel for the parties. It is accepted that the point involved in this reference application is as follows:</p> <p>“Whether on the facts and in the circumstances of the case, the assessee company was entitled to claim depreciation in view of the provisions of Section 32 of the Income-tax Act, 1961 in respect of the factory building belonging to it and used by it for business.”</p> <p>Answer has to be in the affirmative in view of the decision of the Apex Court in <i>CIT v. Podar Cement Pvt Ltd</i> [1997] 226 ITR 625... and Full Bench decision of this Court in <i>Gowersons Publishers (Pvt) Ltd v. CIT</i> [1999] 240 ITR 193.</p> <p>July 11, 2000.</p> <p>Vsp</p> <p style="text-align: right;">             CHIEF JUSTICE.              D.K.JAIN, J         </p>