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% 26.08.2009


Present: Mr. Sanjeev Sabharwal for the appellant.

+ ITA No. 562/2009

Perusal of paras 4 and 5 of the order passed by the learned ITAT reveals that the case is decided purely on arriving a finding of fact. A categorical finding is arrived to the effect that the transactions undertaken by the assessee were not bogus and further that the assessee received sale proceeds of the shares sold earlier year and as such capital gain was not chargeable to tax in the year in question.

Thus, no question of law arises.

Dismissed.


A.K. SIKRI, J.


VALMIKI J. MEHTA, J.

August 26, 2009
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