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% 15.12.2009

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Present: Ms. Rashmi Chopra, Adv. for the appellant.

+ CM No.17452/2009

For the reasons stated in this application, the delay in refiling the appeal is condoned.

CM is disposed of.

• ITA No.1303/2009

The Income Tax Appellate Tribunal has rightly confirmed the opinion of the CIT(A) holding that the expenses incurred during the ongoing business process and not creating any capital assets were revenue in nature and could not be treated as capital in nature.

Therefore, no substantial question of law arises for determination, this appeal is accordingly dismissed.


A.K. SIKRI, J.


SIDDHARTH MRIDUL, J.

December 15, 2009

pmc