ORDER SHEET

G.A.No.222 of 2014
ITAT 16 of 2014
IN THE HIGH COURT AT CALCUTTA
Special Jurisdiction (Income-tax)
ORIGINAL SIDE

COMMISSIONER OF INCOME TAX, KOL-I

Versus

M/S. PEERLESS GENERAL FINANCE AND INVESTMENT CO. LTD.

BEFORE:

The Hon'ble JUSTICE SOUMITRA PAL

The Hon'ble JUSTICE ARINDAM SINHA

Date : 4th August, 2014.

For Appellant : Mr.P.K.Bhowmik,Advocate
Ms.Smita Das De,Advocate

For Respondent : Mr.J.P.Khaitan,Sr.Advocate
Mr.S.Basu,Advocate

The Court : Heard Mr.Prabir Kumar Bhowmik, learned advocate for the appellant moving the application being G.A.No.222 of 2014 and Mr.Khaitan, learned Senior Advocate for the respondent.

Since we find that the records contain the Memorandum of Appeal, application and also other documents which are necessary for disposal of the appeal, let the matter be treated as ready for hearing and come up under the heading “For Hearing” on 12th August, 2014 on the following questions :-

“1. Whether on the facts and circumstances of the case the Learned Tribunal is justified in law in holding that the Assessing Officer has no jurisdiction to exercise the power of rectification under section 154 of the Income Tax Act, 1961 ?

2. Whether on the facts and circumstances of the case, the Learned Tribunal was justified in law by not holding that Section 244A of the Income Tax Act, 1961 provides for interest on refunds under various contingencies, it is only that interest provided for under the statute which may be claimed by the Assessee from the Revenue and no other interest on such statutory interest ?”

Accordingly, the application is disposed of with the directions to treat the papers on record as informal paper book.

Urgent certified copy of this order, if applied for, be furnished to the appearing parties on priority basis.

(SOUMITRA PAL, J.)

(ARINDAM SINHA, J.)

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