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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL NO. 32 OF 2001

The Commissioner of Income Tax ... Appellant

Versus

M/s. Indokem Ltd. ... Respondent

Mr.A.D. Kango with Mr. P.S. Sahadevan for the Appellant.

**CORAM: F.I. REBELLO &  
R.S. MOHITE, JJ.**

**DATED: JANUARY 15, 2008**

**P.C.**

. The appeal has been preferred on the following questions :

"Whether on the facts and circumstances of the case the Tribunal was justified in law in confirming the order of C.I.T. (A) by holding that the amount paid to the employees under the voluntary retirement Scheme was covered u.s. 10(19B) and hence, action u.s. S. 201(1) of the I.T. Act was not justified?"

. The appellant before the tribunal was Revenue. The learned tribunal has considering the facts on record concurred with the findings on record by

Commissioner (Appeals), that it was under the bona fide belief and consequently the default was for good and sufficient reasons. In our opinion considering that two concurrent findings of fact, the question of law as framed would not arise. Consequently appeal dismissed.

(R.S. MOHITE, J.)

(F.I. REBELLO, J.)