

VOLUME NO.: LLAT/ 317 OF 2009-10

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Dear Client,

We have pleasure in listing below some of the recent legal landmarks.

SR. NO.	AUTHORITY CITATIONS	SECTION/ RULES / SUBJECT	RATIO(S) CASE(NAME OF ASSESSEE)
1.1	DEL-TRIB	245R,ITA	NR company providing remittance services to NRIs in UAE: Liaison offices set up in India performing auxiliary services: No permanent establishment of NR in India. Amount earned by NR not assessable in India.
1.2	313 ITR 94	DAAT	U.A.E. Exchange Centre Ltd.
2.1	MUM-TRIB	234B,ITA	Failure by payer to deduct tax at source : Interest cannot be imposed on 'a'.
2.2	313 ITR 187	Interest	NGC Network Asia LLC
3.1	DEL - HC	143(2)&158BC,ITA	Where the returned income is not accepted in the block assessment service of notice u/s. 143(2) is necessary. Failure to serve notice u/s.143(2) would render the block assessment invalid.
3.2	223 CTR 487	Block Asst.	Pawan Gupta
4.1	DEL - HC	2(14), ITA	Purchase of agricultural land in 1989 to set up industry ;shortly thereafter, land acquired by Government; AO treated land as capital asset, and assessed capital gain; Not justified.
4.2	180 TM 114	Capital Gain	Hindustan Industrial Resources Ltd.
5.1	(a) RAJ - HC (b) DEL- HC	253, ITA	ITAT of (a) does (b) does not have power to examine validity of search.
5.2	313 ITR 174 313 ITR 182	Appeal	a) Chitra Devi Soni b) Paras Rice Mills
6.1	DEL - HC	158B(b), ITA	Bank statement discovered during post search inquiry . They were not found as result of search nor were they relatable to any evidence which was found during course of search, therefore tribunal was justified in deleting additions
6.2	177 TM 494	Search	Ashok Dua

Please let us know if you need any further information on these.
Thanking you and assuring you of our best services at all times.

Yours Faithfully,

For **Anand Mehta & Co..**
(CONSULTANTS) PVT. LTD.

Anand V. Mehta
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A mind of a consultant with a heart of a friend.

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