HIGH COURT OF CHHATTISGARH AT BILASPUR

TAXC No. 130 of 2025

South Eastern Coalfields Ltd. **Versus** Assistant Commissioner Of Income Tax-Circle-1 (1)

Order Sheet

24/03/2026	Mr. S. Rajeshwara Rao, counsel for the appellant. Mr. Ajay Kumrani, Advocate on behalf of Mr. Amit Chaudhari, counsel for the respondent. No notice is required to be issued as respondent appears through his counsel. This appeal is admitted on the following substantial question of law:- *“(1) Whether the Income-tax Appellate Tribunal is correct while applying Section 37(1) of the Income-tax Act, 1961 by holding part of the "Power and Fuel" expenses incurred upon employee welfare and common facilities to be the contractual obligation being non business*

	expenditure on ad hoc basis which is in-consistence of law laid down by the Hon'ble Supreme Court in the matter of CIT vs. JK Charitable Trust (2008) 308 ITR 161 (SC)? *(2) Whether the Income-tax Appellate Tribunal is justified in restoring the matter of disallowance of Rs.133,26,00,000/-, as against workmen compensation payable under Workmen Compensation Act, 1923 as also under National Coal Wage Agreement-VIII with employees, on the basis of interpretation of clause (f) of section 43B of the Act to allow the claim in the year of actual payment?* *(3) Whether the Income-tax Appellate Tribunal is justified in restoring the matter of disallowance of Mine Closure Expenses of Rs. 170,41,00,000/- while not deducting the aforesaid amount for*

the year in which the amount actually deposited in escrow account, by not considered settled legal principle in the matter of allowability of claim of accrued liability for the corresponding year under section 37 of the Income-tax Act, 1961?"

Let the matter be listed for final hearing.

Sd/-	**Sd/-**
(Sanjay S. Agrawal)	**(Amitendra Kishore Prasad)**
Judge	**Judge**