IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/TAX APPEAL NO. 340 of 2026

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THE PRINCIPAL COMMISSIONER OF INCOME-TAX-1, AHMEDABAD
Versus
AIA ENGINEERING LIMITED

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Appearance:
DEV D PATEL(8264) for the Appellant(s) No. 1
MS VAIBHAVI K PARIKH(3238) for the Opponent(s) No. 1

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CORAM: **HONOURABLE MR. JUSTICE A.S. SUPEHIA**
and
HONOURABLE MR. JUSTICE PRANAV TRIVEDI

Date : 21/04/2026
ORAL ORDER
(PER : HONOURABLE MR. JUSTICE A.S. SUPEHIA)

1. ***ADMIT*** for the following questions of law:

"(a) Whether, given facts and circumstances of the case and in accordance with law, the Income Tax Appellate Tribunal (ITAT) has erred in deleting the addition of Rs.58,97,08,158/- made by the Assessing Officer (AO) on account of income earned by Vega Industries (Middle East) FZE, without appreciating the fact that Vega Industries (Middle East) FZE is a proprietary concern of the assessee and as per section 5(1) of the Income Tax Act, 1961 (for short "the Act"), income earned by Vega Industries (Middle East) FZE is taxable in India in the hands of the assessee?

(b) Whether, given facts and circumstances of the case and in accordance with law, the ITAT has erred in deleting the addition of Rs.2,78,58,045/- made on account disallowance of excess claim of depreciation on electrical fittings under section 32 of the Act, without appreciating the fact that as per new Appendix-I w.e.f. 2006-07, electric

installation is eligible for depreciation @ 10% only?

(c) Whether, given facts and circumstances of the case and in accordance with law, the ITAT has erred in deleting the addition of Rs.80,97,963/- made on account of the disallowance of depreciation claimed by the assessee on goodwill, without appreciating the fact that depreciation is not allowable on goodwill, created by virtue of amalgamation, under the existing provisions of the Act?"

2. To be heard with Tax Appeal No.100 of 2022.

Sd/-
(A. S. SUPEHIA, J)

Sd/-
(PRANAV TRIVEDI,J)

NVMEWADA/19