IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/TAX APPEAL NO. 248 of 2020

==
THE PRINCIPAL COMMISSIONER OF INCOME TAX-1
Versus
CEMACH MACHINERIES LTD.
==
Appearance:
MR MAUNIL YAJNIK FOR
MR.VARUN K.PATEL(3802) for the Appellant(s) No. 1
MR KETAN H SHAH(2705) for the Opponent(s) No. 1
MR. AMAN K SHAH(9992) for the Opponent(s) No. 1
==
CORAM:**HONOURABLE MR. JUSTICE A.S. SUPEHIA**
and
HONOURABLE MR. JUSTICE MAULIK J.SHELAT

Date : 05/05/2026

ORAL ORDER
(PER : HONOURABLE MR. JUSTICE A.S. SUPEHIA)

The present appeal is admitted on the following proposed substantial questions of law.

“[A] Whether the Appellate Tribunal has erred on facts and in law in allowing the loss of Rs.6,72,66,752/- claimed by the assessee?"

[B] Whether the Appellate Tribunal has erred on facts and in law in allowing the loss while ignoring vital facts and findings viz., that assessee was unable to provide exact reconciliation of opening stocks, purchases and sale with quantitative details that assessee had made fresh purchases during the year yet ended up selling the

material at substantially lower prices and that no evidences were furnished by assessee as to action taken by it against employees who floated "Cemach Pharmaceuticals Pvt. Ltd." to poach away assessee's customers?"

Registry shall accept the appearance Note of learned Senior Standing Counsel Mr.Maunil Yajnik, on behalf of the appellant.

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

Sd/-
(MAULIK J.SHELAT,J)

MAHESH/64