HVN

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL NO. 653 OF 2004

Credit Agricole Indosuez ...Appellant

Versus

The Jt.Commissioner of Income Tax and Ors. ... Respondents

Mr. Parus Kaka i/by Crawford Bayley & Co. for the Appellant.

Mr.Parag Vyas for Respondents.

CORAM: F.I. REBELLO &
J.P.DEVADHAR, JJ.
DATED: AUGUST 21, 2007

P.C.:

. Admit on the following questions of law :

(1) Whether on the facts and in the circumstances of the case, the Hon"ble Tribunal was justified in law in holding that the interest and commission to/from Head Office/branches which was debited/credited respectively into Accounts represents expenditure/income allolwable/taxable in computing the income of the Appellant?

(4) Whether the decision of the Tribunal will result in the fastening of a tax liability due to the

operation of a tax treaty which was not there under the Act which would be contrary to law and the decision of Hon’ble Supreme Court of India in the case of UOI Vs. Azadi Bachao Andolan (263 ITR 706)."

. Respondent waives service.

(J.P.DEVADHAR, J.) **(F.I.REBELLO, J.)**