

**IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR**

ITA 1/2024

**JYOTI LIMITED, GULAB BHAWAN ...Petitioner/Appellant(s)
PALACE**

Through: Mr. Ajay Vohra, Sr. Advocate with
Ms. Manisha Sharma, Advocate (*through VC*)

Vs.

**ASSISTANT COMMISSIONER OF INCOME ...Respondent(s)
TAX**

Through: Mr. Umar Rashid Wani, Advocate

CORAM:

**HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE
HON'BLE MR. JUSTICE SANJAY PARIHAR, JUDGE**

ORDE R

05.05.2026

1. Heard learned counsel for the parties and perused the material on record, including the judgment impugned. We find the following substantial question of law involved for adjudication in this appeal:
 - a. Whether, on the facts and circumstances of the case, the Tribunal erred in not holding that the license fee received by the appellant is chargeable to tax as a business income and not an income from house property.
2. The appeal is accordingly admitted on the aforesaid question.
3. Issue post admission notice.
4. Notice is waived by Mr. Umar Rashid Wani, learned counsel appearing for the respondent.
5. Send for the record from the ITAT.
6. List for consideration on 09.07.2026.

**(SANJAY PARIHAR)
JUDGE**

**(SANJEEV KUMAR)
JUDGE**

SRINAGAR:

05.05.2026

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