



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 29TH DAY OF OCTOBER, 2025**

**PRESENT
THE HON'BLE MR. JUSTICE B M SHYAM PRASAD
AND
THE HON'BLE MR. JUSTICE T.M.NADAF
INCOME TAX APPEAL NO. 119 OF 2024**

BETWEEN:

1. PR. COMMISSIONER OF INCOME TAX
(INTERNATIONAL TAXATION)
KORAMANGALA,
BENGALORE
2. THE ASSISTANT COMMISSIONER
OF INCOME TAX
INTERNATIONAL TAXATION, CIRCLE 1(2)
KORMANGALA, BANGALORE

...APPELLANTS
(BY SRI. SUSHAL TIWARI, ADVOCATE FOR
SRI. E.I.SANMATHI, ADVOCATE)

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by
MADHUSHREE
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Location: High
Court of
Karnataka





AND:

BLUE YONDER INC
(FORMERLY KNOWN AS JDA SOFTWARE INC.)
C/O BLUE YONDER INDIA PVT LTD
TOWER A MANTRI COMMERCIALS
DEVARABEESANAHALLI
OUTER RING ROAD,
VARTHUR HOBLI,
BENGALURU - 103.
REP BY ITS DIRECTOR

...RESPONDENT

(BY MS. TANMAYEE RAJKUMAR, ADVOCATE)

THIS ITA/INCOME TAX APPEAL IS FILED
UNDER SEC.260-A OF INCOME TAX ACT 1961,
ARISING OUT OF ORDER DATED 03.01.2024
PASSED IN IT(IT)A NO. 424/BANG/2023 FOR THE
ASSESSMENT YEAR 2019-20.

THIS APPEAL, COMING ON FOR ADMISSION,
THIS DAY, JUDGMENT WAS DELIVERED THEREIN
AS UNDER:



CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD
and
HON'BLE MR. JUSTICE T.M.NADAF

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE B M SHYAM PRASAD)

The Revenue and the assessee have been in dispute on whether the receipts by the assessee for sale of software and services associated with such software would be "*Royalty*". The dispute as regards the latter being "*Royalty*" stands concluded with this Court's order dated 08.10.2025 in ITA No.120/2024 in view of the decision of the Apex Court in ***Engineering Analysis Centre of Excellence Private Limited Vs. Commissioner of Income Tax and Another*** reported in ***AIR 2021 SC 124***.

The dispute in the present case relates to the sale of software and it is undisputed that the decision



of the Apex Court in ***Engineering Analysis Centre of Excellence Private Limited*** [supra] would apply to the present case as well. As such, this appeal also stands dismissed.

Sd/-
(B M SHYAM PRASAD)
JUDGE

Sd/-
(T.M.NADAF)
JUDGE

RB