

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NO.5759 OF 2012

M/S JAGRAON EXPORTS

APPELLANT

VERSUS

C.I.T-I LUDHIANA

RESPONDENT

WITH

CIVIL APPEAL NO.5760 OF 2012

WITH

CIVIL APPEAL NO.5761 OF 2012

WITH

CIVIL APPEAL NO.5762 OF 2012

WITH

CIVIL APPEAL NO.5763 OF 2012

WITH

CIVIL APPEAL NO.5764 OF 2012

WITH

CIVIL APPEAL NO.5765 OF 2012

WITH

CIVIL APPEAL NOS.5766-5771 OF 2012

WITH

CIVIL APPEAL NO.5772 OF 2012

WITH

CIVIL APPEAL NO.2531 OF 2013

WITH

CIVIL APPEAL NO.10916 OF 2013

J U D G M E N T

KURIAN, J.

1. The issue in these appeals pertains to the question whether the proceeds generated from the sale of scrap would be included in the total turnover.

2. In the recent decision of this Court in Commissioner of Income Tax Vs. Punjab Stainless Steel Industries & Ors. reported in [2014] 364 ITR 144 (SC) it has been held that sale proceeds generated from the sale of scrap would not be included in the total turnover for the purpose of deduction under Section 80HHC of the Income Tax Act, 1961.

3. The appeals are allowed in terms of the judgment referred to above.

.....J.  
[KURIAN JOSEPH]

.....J.  
[ROHINTON FALI NARIMAN]

NEW DELHI;  
FEBRUARY 18, 2016

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Civil Appeal No(s). 5759/2012

M/S JAGRAON EXPORTS

Appellant(s)

VERSUS

C.I.T-I LUDHIANA

Respondent(s)

(with appl. for permission to file/replace/place on record corrected copies of Annexure P-1 to P-2 and P-5 to P-6 and disposal in terms of judgment and order rendered by this Hon'ble Court in C.A. NO. 5592/2008 and office report)

WITH

C.A. No. 5760/2012  
(With Office Report)

C.A. No. 5761/2012  
(With Office Report)

C.A. No. 5762/2012  
(With Office Report)

C.A. No. 5763/2012  
(With Office Report)

C.A. No. 5764/2012  
(With Office Report)

C.A. No. 5765/2012  
(With Office Report)

C.A. No. 5766-5771/2012  
(With Office Report)

C.A. No. 5772/2012  
(With Office Report)

C.A. No. 2531/2013  
(With Office Report)

C.A. No. 10916/2013  
(With Interim Relief and Office Report)

Date : 18/02/2016 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE KURIAN JOSEPH  
HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Appellant(s)      Ms. Kaveeta Wadia, Adv.  
                                 Mr. Rahul Gupta, Adv.  
                                 Mr. Shashank Tripathi, Adv.  
  
                                 Mr. Arna Das, Adv.  
                                 Mr. Rameshwar Prasad Goyal, Adv.  
  
                                 Mr. Ajay Vohra, Sr. Adv.  
                                 Ms. Kavita Jha, Adv.  
  
                                 Mr. K. Parmeshwar, Adv.  
                                 Mrs. Anil Katiyar, Adv.

For Respondent(s)      Mr. G. Krishan Kumar, Sr. Adv.  
                                 Mr. Arijit Prasad, Adv.  
                                 Ms. Rekha Pandey, Adv.  
                                 Mr. B. V. Balaram Das, Adv.  
  
                                 Mr. K. Parmeshwar, Adv.  
                                 Mrs. Anil Katiyar, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

The appeals are allowed in terms of the signed  
non-reportable Judgment.

All pending application(s) shall stand disposed of.

(Rajni Mukhi)  
Sr. P.A.

(Renu Diwan)  
Court Master

(Signed non-reportable judgment is placed on the file)