

2008)

By the said order, the Bench while referring to the insertion of Explanation in Section 65 (105) (zxc) in the Finance Act, 1999 with effect from 1st July, 2003, has set aside the decision of the Tribunal in that case and the matter has been remanded back to the Tribunal for fresh consideration in the light of the said amendment.

Since in the present case, the Tribunal has decided the case in favour of the assessee by relying on its decision in the case of Great Lakes Institute of Management Ltd (supra), following the decision dated 14th May, 2010, we set aside the impugned judgment and remand the case back to the Tribunal for fresh consideration in the light of the afore-mentioned amendment.

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The appeal stands disposed of with no order as to costs.

.....J.
[D.K. JAIN]

.....J.
[H.L. DATTU]

NEW DELHI,
FEBRUARY 04, 2011.