

# Amcon

Anand Mehta & Associates  
(CONSULTANTS) PRIVATE LIMITED

I ♥ MY CLIENT

# Legal Landmarks



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Dear Client,

We have pleasure in listing below some of the recent legal landmarks.

SrNo	Authority Citation	Section/Rules /Subject	RATIO(S) CASE(NAME OF ASSESSEE)
1.1	ITAT_Delhi	9, ITA	AO has no right to reopen reassessment for mere reason that he wants to review his earlier assessment.
1.2	59CCH0057	Basis of Charge	American Express Travel Related Services Company Inc.
2.1	ITAT_Kolkata	115JB, ITA	Decision rendered is on misapprehension of provision read with explanation 3 to Sec 115JB and ignoring inclusive definition of Co in Section 115JB. Provisions are not applicable to A, being a bank.
2.2	59CCH0058	Spl Prov. Wrt Certain Cos.	United Bank of India & Anr
3.1	ITAT_Delhi	14A, ITA	When the assessee himself has treated the income arising from sale of securities held for more than 12 months as capital gains, there is no reason to dispute it by Assessing Officer considering tax effect.
3.2	59CCH0059	Basis of Charge	Puran Associates Pvt Ltd
4.1	ITAT_Chandigarh	250, ITA	AO needs to provide concrete evidence or investigate that the transactions are bogus & not rely on mere suspicion.
4.2	59CCH0060	Appeals & Revision	Sharma Buildwell Private Limited
5.1	ITAT_Delhi	5, ITA	In absence of any actual activity being carried out through any fixed placed of business or personnel in India, there is no PE. It is based on revenue being earned and income being accrued and not mere incorporating of various terms of agreement.
5.2	59CCH0062	Scope of IT	IDIADA Automotive Technology

Please let us know if you need any further information on these.  
Thanking you and assuring you of our best services at all times.

Yours Faithfully,

For *Anand Mehta & Associates.*  
(CONSULTANTS)PRIVATE LIMITED

*Anand V. Mehta*  
DIRECTOR

A mind of a consultant with a heart of a friend

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