

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 708-709 OF 2020

T.V. TODAY NETWORK LIMITED

APPELLANT

VERSUS

PR. COMMISSIONER OF INCOME TAX 9

RESPONDENT

O R D E R

Heard Shri Salil Agarwal, learned senior counsel appearing on behalf of the appellant and Shri Balbir Singh, learned ASG appearing for the Revenue.

It is not in dispute that before the High Court, the assessee heavily relied upon the decision of the Calcutta High Court in the case of CIT vs. Exide Industries 292 ITR 470. It is also not in dispute that subsequently the decision of the Calcutta High Court in the case of Exide Industries (supra) has been set aside by this Court. Therefore, as such, nothing further is required to be done in the present appeals except dismissing the same.

However, it is the case on behalf of the appellant that at least the amount paid by the appellant by way of leave encashment paid in the particular year ought to have been allowed in the year in which it was paid. The aforesaid has been dealt with by the High Court in the impugned judgment. Apart from the fact that the

appellant did not raise such a plea before the Tribunal, even otherwise it does appear that such a claim was not made by the appellant in the years in which actually the adjustment amounts due were paid to the employees.

In view of the above, the Civil Appeals stand dismissed.

.....J.
[M.R. SHAH]

.....J.
[A.S. BOPANNA]

NEW DELHI
SEPTEMBER 13, 2021

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

Civil Appeal Nos.708-709/2020

T.V. TODAY NETWORK LIMITED

Appellant(s)

VERSUS

PR. COMMISSIONER OF INCOME TAX 9

Respondent(s)

Date : 13-09-2021 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.R. SHAH
HON'BLE MR. JUSTICE A.S. BOPANNA

For Parties

Mr. Salil Agarwal, Sr. Adv.
Mr. Bhargava V. Desai, AOR
Mr. Shivam Jasra, Adv.
Ms. Aditi Diwan, Adv.
Mr. Uma Shankar, Adv.

Mr. Balbir Singh, ASG
Mr. H. R. Rao, Adv.
Mr. Piyush Beriwal, Adv.
Mr. Udai Khanna, Adv.
Mr. Raj Bahadur Yadav, AOR

Mrs. Anil Katiyar, AOR

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

The Civil Appeals stand dismissed in terms of
the signed order.

Pending application (s), if any, shall stand
disposed of.

(NEETU SACHDEVA)
COURT MASTER (SH)

(NISHA TRIPATHI)
BRANCH OFFICER

(signed order is placed on the file)