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## SUBJECT INDEX

### APPELLATE TRIBUNAL

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- *Condonation of delay* - Where assessee, a scheduled bank, filed appeal with an unreasonable delay and there was no proper explanation offered by it for delay except stating that delay was due to transfer of concerned officer in branch with whom papers were pending for preparation of appeals, it was to be concluded that assessee had failed to give sufficient reasons to condone such delay and, therefore, appeal filed by it was to be dismissed being barred by limitation - *Catholic Syrian Bank Ltd. v. Dy. CIT (Cochin)* 384

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#### ■ Allowability of

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- *Development expenses* - Where assessee had been following consistent accounting pattern in creating similar provision for development expenses year after year and such expenses were allowed by revenue in previous as well as subsequent assessment years, there was no reason for Assessing Officer to deviate from same and disallow said expenditure during relevant assessment year - *Saamag Developers (P.) Ltd. v. Asstt. CIT (Delhi)* 350

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- *Land dealings* - Where assessee had entered into an agreement for transfer of development right in a land and handed over said land for development, in view of fact that such agreement was unregistered, there was no transfer of land as per provision of section 2(47)(v) - *Saamag Developers (P.) Ltd. v. Asstt. CIT (Delhi)* 350

### DEEMED DIVIDEND

- *Loans or advances to shareholders* - Where addition was made to income of assessee company under section 2(22)(e) in respect of amounts received from various group companies, in view of fact that assessee and other group companies were taking money from each other and utilizing same for purpose of business transactions only and no

amount had gone to shareholder, same could not be considered as loans and advances as per section 2(22)(e) and, thus, impugned addition was unjustified - *Saamag Developers (P.) Ltd. v. Asstt. CIT (Delhi)* 350

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- *Charge of tax where shares of beneficiaries unknown* - Where assessee-trust was not registered under section 12A and its trustees were filing their own returns also showing taxable income, AO rightly concluded that assessee-trust was to be treated as an AOP and its income would be brought to tax at Maximum Marginal Rate as per provisions of section 164(1) - *Basil Mendes Memorial Educational & Charitable Trust v. ITO (Bang.)* 390

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