

### **Polyflex case**

In aforesaid case, Kar HC while allowing assessee's writ seeking waiver of interest u/s 220(2) and 234B, has interalia concluded that:

a) As regards waiver of interest u/s 220(2), matter has been remitted back to DIT/CIT concerned to consider the genuine hardship in light of Supreme Court ruling in B.M.Malani 306 ITR 196 and Kar High Court ruling at 309 ITR 93, reaffirming that three conditions given in section 220(2A) **need not co-exist together**.

b) As regards waiver of interest u/s 234B, on basis of CBDT Circular dated 23/5/1996, it is held that interest arising from advance-tax shortfall, consequent to adverse Supreme Court ruling in assessee's own case, interest is not chargeable.