

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
INCOME TAX APPEAL NO.825 OF 2009

Automated Securities Clearance Inc ..Appellant.

V/s.

The Income Tax Officer ..Respondent.

Mr.R.Murlidharan i/v. P.C. Tripathi for appellant.

Mr.Vimal Gupta for respondent.

CORAM : V.C.DAGA AND  
J.P.DEVADHAR, JJ.

DATED : 24TH JUNE, 2009.

P.C. :-

1. Heard. Admit on the following substantial question of law:-

" Whether on the facts and in the circumstances of the case and in law, deduction under section 80HHE of the Act is allowable to a company incorporated in the USA in view of Article 26(2) of India -USA DTAA ?"

2. Mr.Gupta waives service for the respondent.

(J.P.DEVADHAR, J.)

(V.C.DAGA, J.)