

IN THE HIGH COURT OF DELHI AT NEW DELHI

23.09.2009

Present: Ms. P.L.Bansal, Advocate for the appellant.

**ITA 927/2009 DIRECTOR INCOME TAX
Vs. BASANTI DEVI & SHRI CHAKHAN LAL GARG EDUCATION TRUST**

The respondent/assessee is admittedly a Charitable Organisation which is a trust registered under the Indian Trust Act which has also been granted registration under the Income Tax Act w.e.f. 1.4.2003. The assessee received certain donations towards its corpus which had been deposited in the bank and the money was admittedly spent for acquiring land for construction of a college. In these circumstances, we are of the opinion that the CIT(A) as well as ITAT rightly concluded that the donations received towards corpus of the trust would be capital receipt and not revenue receipt chargeable to tax.

No question of law arises. Dismissed.

A.K.SIKRI, J

VALMIKI J.MEHTA, J

September 23, 2009

ib

#5