

## Ranbaxy Laboratories Ltd. Vs The Commissioner of Income Tax

**Court:** Delhi High Court

**Date of Decision:** Dec. 11, 2008

**Acts Referred:** Income Tax Act, 1961 " Section 80IA, 80IB

**Hon'ble Judges:** Rajiv Shakdher, J; Badar Durrez Ahmed, J

**Bench:** Division Bench

**Advocate:** Ajay Vohra Kavita Jha and Sriram Krishna, for the Appellant; Rashmi Chopra, for the Respondent

**Final Decision:** Allowed

### Judgement

Badar Durrez Ahmed, J.  
Admit.

2. The following substantial question of law arises for the consideration of this Court:

(1) Whether on the facts and circumstances of the case the Income Tax Appellate Tribunal erred in law in denying deduction u/s 80IA of the

Income Tax Act, 1961 on duty drawback and profit on sale of REP licenses ?

3. We find that this question has been recently considered in the context of Section 80IB of the Income Tax Act in CIT v. Dharampal Prem Chand

Limited ITA 1441/2006 decided on 27.11.2008. We can dispose of this question straightaway. We find that the language employed in Section

80IA and 80IB, in the context of the question raised above, is virtually identical. Following the view that we have taken in Dharampal Prem Chand

(supra), the question raised above, is answered in favour of the assessee and against the revenue.

To that extent the impugned order is set aside. The appeal stands allowed to this extent.