Pr. Commissioner of Income Tax (Central)-3, New Delhi v. Oppo Mobiles India (P) Ltd.

ITA 84/2026 (CM APPL. 6933-6935/2026)

ITA 84/2026 (CM APPL. 6933-6935/2026) (Delhi High Court, 2026-03-17) | 2026-03-17

Revenue appeal concerning brand ambassador, advertising and warranty expenses dismissed by applying the cited precedents.

High Court of Delhi | 2-judge bench (Division Bench) | Dinesh Mehta, J. | Vinod Kumar, J.

Assessment years: Not specified in order text

01 FACTS OF THE CASE

Revenue appealed the ITAT Delhi Bench E order dated 23 January 2024. Its six proposed questions included brand ambassador expenditure, advertising and sales promotion on hoardings/neon signs, and provision for warranty. The Court allowed the certified-copy exemption and condoned seven days' filing delay and 560 days' re-filing delay.

Source: PDF pp.1–3, paras 1–7

02 DISCUSSION BY THE HON'BLE COURT

Assessee's counsel submitted that questions 2 and 3 were covered by CIT-V v. Pepsico India Holdings (P.) Ltd. [2012] 21 taxmann. com 165 (Delhi), and the warranty question by Rotork Controls India (P.) Ltd. v. CIT [2009] 180 Taxman 422 (SC). Revenue's counsel could not controvert that position. After considering the cited judgments, the Court accepted the submission.

Source: PDF p.3, paras 8–10

03 JUDICIAL DECISION

The High Court dismissed ITA 84/2026 after finding the assessee's reliance on the cited judgments correct.

Source: PDF p.3, paras 10–11

04 OUTCOME / IN WHOSE FAVOUR

Revenue's appeal dismissed, in favour of Oppo Mobiles India (P) Ltd.

Source: PDF p.3, paras 10–11

05 EXPERT COMMENTS

AKHB Expert Comments — editorial analysis, distinct from the Court's findings.

Separate the questions from the Court's answer: The descriptions of an enduring brand asset, deferred expenditure and a contingent warranty liability appear in Revenue's proposed questions. They are challenges to the Tribunal's result, not findings adopted by the High Court. The Court's operative reasoning was that the identified issues were covered by the cited Pepsico and Rotork decisions. (PDF pp.2–3, paras 7–10)

Use the issue-to-precedent mapping: The order specifically connects brand ambassador and hoarding/neon-sign expenses with Pepsico, and warranty with Rotork. That mapping provides the useful analytical structure for a comparable dispute: examine the relevant expenditure or provision against the appropriate precedent. The short order supplies no amounts, contractual terms or warranty computation from which to infer a universal deduction for every marketing payment or warranty reserve. (PDF p.3, paras 8–10)

Condonation and the substantive result are distinct: The Court first condoned two different delays and then dismissed Revenue's appeal on the covered issues. Condonation did not decide deductibility. Nor does the dismissal amount to a fresh factual assessment of every proposed question; the recorded precedent-based reasoning and its stated subjects define the order's value. (PDF pp.1,3, paras 3–6,8–11)

Source: PDF pp.2–3, paras7–10

SOURCE & VERIFICATION

Original judgment PDF (DLHC011320342024_1_2026-03-17.pdf)

Complete 3-page original read and every page visually reviewed; source bytes verified. Commentary is editorial analysis of this order, not current-law clearance.

Full original and all five note panels re-reviewed on 21 October 2026; unsupported supplied assertions removed.

Open cited source rendition

Complete original source and all five note panels checked; original docket identities preserved.

STATUTORY SCOPE

Only provisions expressly stated in this order are indexed. Subsequent treatment and current law have not been independently verified.

LATER TREATMENT

Source checked 2026-10-21. Subsequent proceedings and current judicial treatment have not been independently verified.

AI DISCLOSURE

AI-assisted research checked against the identified source. Extraction, interpretation or omission errors remain possible. Source review does not mean independent approval by a practising professional. Verify every material statement against the complete original judgment.

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