

M/s. Muthoot Leasing and Finance Limited and Another v. Commissioner of Income Tax

Civil Appeal Nos. 10201-10202 of 2010 and connected proceedings (full list below)

[2023] 1 S.C.R. 317 | 2023-01-03

Whether the hire-purchase instalment component was interest on loans/advances under Interest-tax Act section 2(7), and whether the High Court could displace ITAT fact findings without a separately formulated substantial question.

260A: contextual appellate-law identification through Interest-tax section 21; not numbered in target paragraph 19 | 2(28A): express comparison only, not target income-tax liability adjudication

2-judge bench; one opinion | Sanjiv Khanna, J. | M.M.Sundresh,J.

Assessment years: See the source-scope notes; no year inferred.

IMPORTANT: NARROW APPELLATE HOLDING; NO GENERAL INCOME-TAX EXEMPTION

This is principally an Interest-tax Act 1974 hire-purchase judgment. Its repository relevance is the applied substantial-question/perversity restriction on High Court interference at paragraph 19; section 260A through Interest-tax section 21 is a contextual identification, not a statutory citation printed there. The 1961 section 2(28A) comparison does not decide that hire-purchase receipts escape income-tax. Substance can still expose a financing loan; remand was declined because of the age of these cases and the Court's stated cessation of interest-tax operation from 31 March 2000. The report supplies no assessment years or quantified additions. Comprehensive later treatment, exact historical amendment chain, present-law effectiveness and Income-tax Act 2025 mapping remain NOT VERIFIED.

01 FACTS OF THE CASE

The appellants were RBI-registered non-banking finance and leasing companies, some reclassified as hire-purchase finance companies. Their status as credit institutions under Interest-tax Act 1974 section 2(5-A), read with the financial-company definition in section 2(5-B), was not disputed. The common question was whether the interest component said to be embedded in hire-purchase instalments attracted interest-tax (paragraphs 2-3, physical 7-8/SCR 323-324).

The Tribunal had found that the agreements acknowledged the companies as vehicle owners. Hirers paid rent on the specified dates, maintained the vehicles, paid outgoings and kept them at agreed locations; owners retained inspection rights. A hirer could return the vehicle and terminate the arrangement. Default, insolvency, unauthorised transfer or other breach allowed termination, seizure, recovery of due instalments, damages and repossession costs. Registration could be in the hirer's name subject to transfer when required. On these findings and CBDT Circular 760 of 13 January 1998, the Tribunal treated the arrangements as composite bailment-and-sale transactions rather than loans or advances and deleted the interest-tax additions (paragraphs 4-5, physical 8-9/SCR 324-325).

Kerala High Court reversed that result on 10 March 2008. The report's appellate recital identifies ITA 230 and 269/2002; paragraph 7 focuses on ITA 269/2002. The High Court treated finance charges and the flat-rate interest arrangement as financing, regarded the final one-rupee purchase option as an empty formality, and relied on the hirer's registration, Motor Vehicles Act section 51, earlier Circular 738 of 25 March 1996 and Sundaram Finance. The report then lists CA 10201-10207/2010, CA 4903-4907/2014 and SLP(C) 4441/2011. Leave was granted in the SLP and all were decided together. Separate connected parties, assessment years and additions are not given and are not inferred (paragraphs 1,7-8 and 21; physical 6-10,18/SCR 322-326,334).

Source: See the proposition-specific paragraph and PDF-page references below.

02 DISCUSSION BY THE HON'BLE COURT

Sanjiv Khanna J., speaking for the two-judge Court, first rejected one part of the Tribunal's reasoning: the Hire-Purchase Act 1972 had never been enforced and was later repealed, so reliance on it was palpably wrong. That error did not determine the result because the agreements and the applicable interest-tax definition still had to be considered. The Court also noted the Delhi High Court's contrary view in *G. E. Capital Transportation* and explained that an in-limine dismissal of a connected special leave petition at admission did not establish an Article 141 precedent (paragraphs 6-8, physical 9-10/SCR 325-326).

The Court reproduced section 2(7) after the amendment effective 1 October 1991. Sahara India Savings and Investment Corporation and State Bank of Patiala supplied the controlling narrow reading: interest under the first limb had to arise directly on a loan or advance, while commitment charges and discounts on specified instruments were separately included. Sahara concerned investment in bonds/debentures; Patiala concerned charges on overdue discounted bills. Their facts and monetary accounts were precedent material, not further Muthoot proceedings. Paragraph 12 recounts Patiala's rejection of State Bank of Mysore and approval of Cholamandalam; those treatments are attributed to Patiala (paragraphs 9-12, physical 10-12/SCR 326-328).

Paragraph 13 contrasts the wider Income-tax Act 1961 section 2(28A) language: payment in any manner, the wider link conveyed by in respect of, and moneys borrowed by means beyond loans/advances. The comparison explains why the Interest-tax Act cannot simply take over that wider reach. It does not decide these appellants' income-tax liability under section 2(28A), a deduction provision or a withholding provision (physical 12-13/SCR 328G-329B).

A true hire-purchase has bailment followed by sale only if the purchase option is exercised after the conditions are met. Although an economic interest element may be built into hire, the legal payment is not necessarily interest on a loan. The hirer's right to return the asset and the owner's continuing title/contractual rights matter. Registration under Motor Vehicles Act section 51 does not by itself extinguish the financier-owner's rights; registration-related accident or traffic responsibility and title under the arrangement are different questions. The Court preferred the Delhi view over the impugned Kerala approach (paragraph 14, physical 13/SCR 329C-H).

Revenue's strongest substantive answer was Sundaram Finance: the commercial form may conceal a loan secured on a vehicle already purchased by the customer. The Court examined that decision alongside Constitution Bench *K. L. Johar*, including the distinction between hire followed by an optional sale and financing secured through hire-purchase documents. It did not hold that labels or documentation conclusively settle substance. Circular 738 had generally treated finance charges as interest; the subsequent Circular 760 directed officers to distinguish genuine hire-purchase from financing by considering the contract, supplier-financier-user arrangements, initial payment, pricing and manifested intention. If the financier pays for the real purchaser and the agreement merely secures repayment, a loan transaction can remain (paragraphs 15-16, physical 14-16/SCR 330-332B).

02 DISCUSSION BY THE HON'BLE COURT

The Court nevertheless emphasised the charging language actually under adjudication. Sundaram's sales-tax setting and the service-tax reasoning in Association of Leasing could not be indiscriminately transferred to the narrow Interest-tax Act definition. Taxability must fit the charging provision, and differently worded enactments require care (paragraphs 17-18, physical 16-17/SCR 332-333B).

Separately and materially, paragraph 19 applied an appellate-law limit to the High Court's reversal. ITAT findings of fact are generally conclusive. A finding unsupported by the record may raise perversity, but the High Court must frame a separate substantial question of law before interfering and apply the strict parameters. Here it had framed no specific substantial question on that footing, so its factual interference was unwarranted. This is an applied jurisdictional reason, not only a recital that an appeal exists. The statutory context is section 260A of the 1961 Act through Interest-tax section 21; neither number is printed in paragraph 19, and the note distinguishes that contextual identification from the judgment's express words. The judgment simultaneously preserves the tax authorities' ability to examine surrounding circumstances and the true transaction notwithstanding nomenclature (physical 17/SCR 333C-E).

The Court considered a factual remand to identify camouflage or subterfuge but declined it. Such an exercise would demand old documents and detailed information from assesseees and hirers; at this distance of time it was inappropriate, and the Court noted that the Interest-tax Act had ceased to operate with effect from 31 March 2000. This was a case-specific decision against remand, not a finding that genuine financing can never be taxed or investigated (paragraph 20, physical 17/SCR 333E-G).

Source: See the proposition-specific paragraph and PDF-page references below.

03 JUDICIAL DECISION

The Court allowed the appeals, set aside the impugned judgments and the assessing officers' additions, and upheld the Tribunal orders deleting the additions in Muthoot and the other cases. It made no order as to costs and did not remand (paragraph 21, physical 18/SCR 334A-B). The contradictory editorial sentence on physical 2 is not the operative decision.

Source: See the proposition-specific paragraph and PDF-page references below.

04 OUTCOME / IN WHOSE FAVOUR

In whose favour: Appellant assessees in the common batch

Twelve numbered civil appeals and the appeal arising from leave granted in SLP(C) 4441/2011 allowed; impugned judgments/additions set aside; ITAT deletion orders upheld

Final reasoned judgment; remand considered and expressly declined

Narrow interest-tax definition and recorded agreements; factual substance inquiry remains possible; no 1961 general exemption

Source: See the proposition-specific paragraph and PDF-page references below.

05 AKHB REVIEW POINT

Separate the transaction question from the appellate question. On substance, inspect the actual agreement, return/purchase option, title and repossession rights, supplier-customer-financier arrangement and payment structure; a hire-purchase label is not immunity for a secured loan. On appeal, identify the actual substantial question permitting a challenge to ITAT facts and the record basis for perversity. Paragraph 19's requirement was applied to the High Court's reversal here. Paragraph 13's broader 1961 interest definition is a reason against uncritical cross-statute transfer, not a general income-tax exemption. The exceptional refusal to remand old interest-tax cases cannot substitute for fact finding in a current case. Read the operative paragraph 21: it upholds the Tribunal's deletions, despite the contrary editorial sentence in the report.

Source: See the proposition-specific paragraph and PDF-page references below.

APPEAL AND PROCEEDING NUMBERS

Civil Appeal Nos. 10201-10202 of 2010 / Civil Appeal No. 10203 of 2010 / Civil Appeal No. 10204 of 2010 / Civil Appeal Nos. 10205-10206 of 2010 / Civil Appeal No. 10207 of 2010 / Civil Appeal Nos. 4903-4907 of 2014 / Special Leave Petition (Civil) No. 4441 of 2011

DETAILED DISPOSITION AND CONNECTED GROUPS

Costs: No order as to costs

Monetary effect: Additions deleted; no quantified tax, refund, damages or monetary costs award printed

Proceeding outcomes

1.

Case number: Civil Appeal Nos. 10201-10202 of 2010

Parties: Muthoot Leasing and Finance Limited and another in leadCA 10201-10202/2010; other connected appellants not separately identified in this report

Appellant role: Assesseees in the common judgment

Assessment years:

Underlying proceeding: Kerala High Court 10 March 2008, ITA 230 and 269/2002 identified for the lead appeals; no individual connected-case mapping printed

Outcome: Appeals allowed under the common disposition; impugned judgments/additions set aside and ITAT deletion orders upheld

Costs: No order as to costs

Pinpoint: Appellate recital physical 6/SCR 322E-G; paragraphs 1 and 21, physical 7/SCR 323A-B and physical 18/SCR 334A-B

2.

Case number: Civil Appeal No. 10203 of 2010

Parties: Connected parties not separately identified in this report

Appellant role: Assessee in the common judgment

Assessment years:

Underlying proceeding: Kerala High Court 10 March 2008, ITA 230 and 269/2002 identified for the lead appeals; no individual connected-case mapping printed

Outcome: Appeals allowed under the common disposition; impugned judgments/additions set aside and ITAT deletion orders upheld

Costs: No order as to costs

Pinpoint: Appellate recital physical 6/SCR 322E-G; paragraphs 1 and 21, physical 7/SCR 323A-B and physical 18/SCR 334A-B

3.

Case number: Civil Appeal No. 10204 of 2010

Parties: Connected parties not separately identified in this report

Appellant role: Assessee in the common judgment

Assessment years:

Underlying proceeding: Kerala High Court 10 March 2008, ITA 230 and 269/2002 identified for the lead appeals; no individual connected-case mapping printed

Outcome: Appeals allowed under the common disposition; impugned judgments/additions set aside and ITAT deletion orders upheld

Costs: No order as to costs

Pinpoint: Appellate recital physical 6/SCR 322E-G; paragraphs 1 and 21, physical 7/SCR 323A-B and physical 18/SCR 334A-B

4.

Case number: Civil Appeal Nos. 10205-10206 of 2010

Parties: Connected parties not separately identified in this report

Appellant role: Assessee in the common judgment

Assessment years:

Underlying proceeding: Kerala High Court 10 March 2008, ITA 230 and 269/2002 identified for the lead appeals; no individual connected-case mapping printed

Outcome: Appeals allowed under the common disposition; impugned judgments/additions set aside and ITAT deletion orders upheld

Costs: No order as to costs

Pinpoint: Appellate recital physical 6/SCR 322E-G; paragraphs 1 and 21, physical 7/SCR 323A-B and physical 18/SCR 334A-B

5.

Case number: Civil Appeal No. 10207 of 2010

Parties: Connected parties not separately identified in this report

Appellant role: Assessee in the common judgment

Assessment years:

Underlying proceeding: Kerala High Court 10 March 2008, ITA 230 and 269/2002 identified for the lead appeals; no individual connected-case mapping printed

Outcome: Appeals allowed under the common disposition; impugned judgments/additions set aside and ITAT deletion orders upheld

Costs: No order as to costs

Pinpoint: Appellate recital physical 6/SCR 322E-G; paragraphs 1 and 21, physical 7/SCR 323A-B and physical 18/SCR 334A-B

6.

Case number: Civil Appeal Nos. 4903-4907 of 2014

Parties: Connected parties not separately identified in this report

Appellant role: Assessee in the common judgment

Assessment years:

Underlying proceeding: Kerala High Court 10 March 2008, ITA 230 and 269/2002 identified for the lead appeals; no individual connected-case mapping printed

Outcome: Appeals allowed under the common disposition; impugned judgments/additions set aside and ITAT deletion orders upheld

Costs: No order as to costs

Pinpoint: Appellate recital physical 6/SCR 322E-G; paragraphs 1 and 21, physical 7/SCR 323A-B and physical 18/SCR 334A-B

7.

Case number: Special Leave Petition (Civil) No. 4441 of 2011

Parties: Connected parties not separately identified in this report

Appellant role: Assessee in the common judgment

Assessment years:

Underlying proceeding: Kerala High Court 10 March 2008, ITA 230 and 269/2002 identified for the lead appeals; no individual connected-case mapping printed

Outcome: Leave granted and appeal allowed under the common disposition; new civil-appeal number not printed

Costs: No order as to costs

Pinpoint: Appellate recital physical 6/SCR 322E-G; paragraphs 1 and 21, physical 7/SCR 323A-B and physical 18/SCR 334A-B

PROPOSITION-SPECIFIC SOURCE PARAGRAPHS AND PDF PAGES**1.****Source url:** [Open cited source](#)**Pdf pages:** 1; 6; 7**Paragraphs:** SCR 317 title/date/bench; SCR 322 complete appellate docket and underlying ITAs; SCR 323 paragraphs 1-3**Source role:** Judicial body, except explicitly identified editorial headnote, appellate recital or quoted material**2.****Source url:** [Open cited source](#)**Pdf pages:** 8; 9; 10**Paragraphs:** SCR 324-326, paragraphs 4-9: agreement, ITAT/High Court positions, unenforced Hire-Purchase Act, in-limine SLP, statutory definition**Source role:** Judicial body, except explicitly identified editorial headnote, appellate recital or quoted material**3.****Source url:** [Open cited source](#)**Pdf pages:** 11; 12; 13**Paragraphs:** SCR 327-329, paragraphs 10-14: Sahara/Patiala construction, section 2(28A) comparison, hire-purchase character**Source role:** Judicial body, except explicitly identified editorial headnote, appellate recital or quoted material**4.****Source url:** [Open cited source](#)**Pdf pages:** 14; 15; 16**Paragraphs:** SCR 330-332, paragraphs 15-18: Sundaram/Johar and CBDT circulars, substance and statute-specific caution**Source role:** Judicial body, except explicitly identified editorial headnote, appellate recital or quoted material**5.****Source url:** [Open cited source](#)**Pdf pages:** 17; 18**Paragraphs:** SCR 333-334, paragraphs 19-21: High Court factual-review restriction, no remand, actual disposition and costs**Source role:** Judicial body, except explicitly identified editorial headnote, appellate recital or quoted material**6.****Source url:** [Open cited source](#)**Pdf pages:** 2; 5; 18

Paragraphs: Editorial SCR 318 says ITAT deletion orders set aside; judicial paragraph 21/SCR 334A and editorial SCR 321E instead uphold them

Source role: Judicial body, except explicitly identified editorial headnote, appellate recital or quoted material

AMOUNTS AND THEIR DISTINCT REPORTED ROLES

1.

Amount: Re1

Role: Nominal final purchase option described in High Court reasoning, not a tax or judicial award

2.

Amount: Not stated in the reviewed record

Role: No target quantified instalments, additions, tax/refund or costs amount printed

REPORTED SOURCE ANOMALIES AND THEIR LIMITS

Physical 2/SCR 318B-C editorial summary says the ITAT orders deleting additions were set aside. The operative judicial paragraph 21 at physical 18/SCR 334A expressly upholds the ITAT deletion orders; the note follows the judgment and preserves the editorial error.; Frozen catalogue gives only CA 10201/2010. Actual report lists twelve numbered civil appeals plus SLP(C) 4441/2011, in which leave is granted in paragraph 1. No resulting new civil-appeal number for that SLP is printed; none is invented.; Frozen INSC label 2023 INSC 5 is metadata. The verified printed citation is [2023]1 S.C.R.317-334; actual complete docket is separately retained without rewriting frozen metadata.; Paragraph 11 describes Sahara as saying that the pre-1991 definition included amounts chargeable under Interest on Securities and that these words were deleted. This is retained as the target Court's narration, not independently authenticated pre-amendment statutory wording or an editorial correction.; No assessment years, appeal-by-appeal tax additions, instalment totals or award amounts are stated. The one-rupee purchase option is a contractual feature in the High Court's reasoning, not quantified relief.; Paragraph 19 does not print section 260A or Interest-tax section 21. Their identification is contextual statutory analysis supported by the separately bounded incorporation/appeal texts. The paragraph itself materially applies the substantial-question/perversity restriction. Footnote 17 cites two civil second-appeal authorities; it is not a printed tax-section citation.

ADDITIONAL STATUTORY CONTEXT, NOT SEPARATE HOLDINGS

Interest-tax Act 1974 sections 2(5-A),2(5-B),2(7); Interest-tax Act 1974 section 21: separately checked incorporation context; Motor Vehicles Act 1988 section 51; Hire-Purchase Act 1972: judicially rejected reliance because never enforced; Hire-Purchase(Repeal)Act 2005; Constitution Article 141: in-limine SLP explanation; Madras General Sales Tax Act 1939 and Finance Act 1994 service-tax provisions: distinct-enactment precedents

JUDICIAL AUTHORSHIP AND SEPARATE OPINIONS

Sanjiv Khanna, J., for the Court

ACT IDENTIFIED IN THE REVIEWED SOURCE

Income-tax Act,1961: appellate-jurisdiction context; principal merits under Interest-tax Act,1974

SPECIFIED STATUTORY CHECKS AND THEIR LIMITS

1.

Source: Target Muthoot opinion

Url: [Open cited source](#)

Pinpoint: Paragraph 9/SCR 326-327; paragraphs 16-20/SCR 331-333

Result: Court applies section 2(7) after 1 October 1991, describes CBDT 738/1996 and 760/1998, and says the Interest-tax Act ceased to operate with effect from 31 March 2000. These are attributed historical propositions from the judgment; not an independently verified repeal or complete statutory-history certificate.

2.

Source: Interest-tax section 21 and Income-tax section 260A statutory reproductions

Url: [Open cited source](#)

Companion url: [Open cited source](#)

Pinpoint: Section 21 complete displayed text; section 260A(1), (3)-(5)

Result: Supports the contextual identification of the incorporated 1961 appellate route. Paragraph 19 of the target itself contains the applied legal restriction, although it omits these section numbers. No fully authenticated 2008 or 2023 enacted version obtained.

3.

Source: India Code Interest-tax Act PDF; official 1991 Finance Act Gazette; departmental section 260A version 2024(No.2)

Urls: <https://www.indiacode.nic.in/bitstream/123456789/1616/1/197445.pdf>; <https://www.indiabudget.gov.in/MissingDocs/CENTRAL%20BUDGET-1991-92July/CENTRAL%20BUDGET-1992-92.pdf>; <https://wmstatic-prd.incometaxindia.gov.in/web/guest/w/section-260a-26>

Result: Search excerpts only. India Code web open failed and one ordinary raw read timed out with no bytes; Gazette web open failed; departmental web open returned 403 and was stopped. No raw integrity, image, enactment-version or current-law certification is claimed.

4.

Source: Income-tax Act 1961, DOR-hosted Taxmann compilation labelled 2011

Url: [Open cited source](#)

Source sha256: 1ec6e4c38dc1d524d1d40b1fd35d13ac1336c8fc549cef2af1bf723a999c822b

Source file bytes: 8394755

Source pdf pages: 1251

Pinpoint: Physical 2 title leaf; selected physical 914-915, printed 1.873-1.874; section 260A(1),(3)-(5), footnotes 43 and 46

Result: The retained compilation labelled 2011 corroborates the substantial-question/formulation regime and notes the 1998 insertion effective 1 October 1998. Its footnote 46 says the bracketed NTT insertion takes effect from a date yet to be notified. This adds bounded historical context only: no exact 2002/2008/2023 statutory version, Gazette chain, Interest-tax section 21, current-law effectiveness or 2025 mapping is authenticated.

SPECIFIED LATER TREATMENT CHECKS AND THEIR LIMITS

1.

Status: bounded later use identified comprehensive status not verified

Search date: 2026-10-06

Scope: Targeted public searches for Muthoot/2023 INSC 5 and overruling, reconsideration, distinction, substantial-question application and later citations.

Result: Bombay High Court in Bank of India, 12 June 2025, 2025:BHC-OS:8715-DB, ITA 425/2003, paragraph 9 expressly used Muthoot's narrow interest-tax reasoning; paragraphs 10-11 excluded the RBI subsidy and allowed the appeal. Full judicial web reproduction read. This is supportive bounded use, not a negative citator certificate, currentness conclusion or verification of paragraph 19's later treatment.

Url: [Open cited source](#)

Original pdf verified: False

Comprehensive later treatment: not verified

BOUNDED NON-PDF SOURCES AND READING LIMITS

1.

Kind: statutory text reproduction

Title: Interest-tax Act 1974, section 21

Url: [Open cited source](#)

Source url: [Open cited source](#)

Accessed date utc: 2026-10-06

Read bounds: Complete section 21 web text, lines 12-16: provisions including 254-262 apply with necessary modifications as in force from time to time; 1991 substitution note. No original PDF or images.

Raw source retained: False

Sha256: Not stated in the reviewed record

Physical text pages read:

Physical image pages read:

Full document read: False

Current law certification: False

Evidence limit: Third-party reproduction of statutory text, not authenticated as the exact 2002/2008/2023 version. Used only to identify the statutory appellate context, not to certify an amendment chain.

2.

Kind: statutory text reproduction

Title: Income-tax Act 1961, section 260A

Url: [Open cited source](#)

Source url: [Open cited source](#)

Accessed date utc: 2026-10-06

Read bounds: Full displayed section 260A, lines 43–49, particularly subsections 1,3–5. Text includes dated amendment annotations and a National Tax Tribunal phrase; no general currentness claim.

Raw source retained: False

Sha256: Not stated in the reviewed record

Physical text pages read:

Physical image pages read:

Full document read: False

Current law certification: False

Evidence limit: Identifies substantial-question and formulation conditions. Not relied on for live effect of the NTT annotation, limitation periods or present law.

3.

Kind: later judicial web text

Title: Bank of India v. Deputy Commissioner of Income Tax, Bombay High Court, 12 June 2025, 2025:BHC-OS:8715-DB, ITA 425/2003

Url: [Open cited source](#)

Source url: [Open cited source](#)

Accessed date utc: 2026-10-06

Read bounds: Complete judicial web text, paragraphs 1–11, lines 37–122; paragraph 9 cites Muthoot, paragraphs 10–11 apply the narrow interest-tax definition to RBI subsidy and allow the assessee appeal.

Raw source retained: False

Sha256: Not stated in the reviewed record

Physical text pages read:

Physical image pages read:

Full judicial web text read: True

Current law certification: False

Evidence limit: Public reproduction, not original High Court PDF; bounded later use of interest-tax reasoning, not validation of every aspect of Muthoot or current section 260A.

RETAINED PDF SOURCE CHECKS AND READING LIMITS

1.

Kind: historical statutory compilation

Title: Income-tax Act 1961, DOR-hosted Taxmann compilation labelled 2011

Source url: [Open cited source](#)

Url: [Open cited source](#)

Source file: auxiliary/DOR_IT_Act_English_2011_compilation.pdf

Source sha256: 1ec6e4c38dc1d524d1d40b1fd35d13ac1336c8fc549cef2af1bf723a999c822b

Sha256: 1ec6e4c38dc1d524d1d40b1fd35d13ac1336c8fc549cef2af1bf723a999c822b

Source file bytes: 8394755

File bytes: 8394755

Source pdf pages: 1251

Pdf pages: 1251

Edition label: 2011; title leaf verified at physical page 2

Physical text pages read: 2; 914; 915

Physical image pages read: 2; 914; 915

Selected substantive text pages read: 914; 915

Selected substantive image pages read: 914; 915

Full document read: False

All document images read: False

Read bounds: Title leaf at physical 2 and complete selected physical pages 914–915, printed pages 1.873–1.874, read as text and images. Section 260A(1),(3)–(5) and footnotes 43 and 46 checked. Adjacent sections 260 and 260B were seen but are not relied on as current law.

Author auxiliary read completed at utc: 2026-10-06T01:51:05.006290+00:00

Historical context finding: The compilation corroborates the substantial-question/formulation regime. Footnote 43 records insertion of the sub-heading and sections 260A–260B by the Finance (No. 2) Act, 1998 from 1 October 1998. Footnote 46 describes the bracketed National Tax Tribunal insertion as effective from a date yet to be notified.

Acquisition: Already-retained original reused read-only; whole PDF bytes, SHA-256 and physical-page count freshly verified. No network reacquisition.

Version limit: This is the compilation labelled 2011, not an independently authenticated exact 2002, 2008 or 2023 enacted version or Gazette. It does not verify Interest-tax Act section 21, whose separate statutory-text reproduction remains expressly third-party evidence.

Current law certification: False

Statutory crosswalk 2025: not verified

SOURCE & VERIFICATION

Hon'ble Supreme Court source PDF (reported judgment)

Identified source rendition: 18 PDF pages; SHA-256 41dde51945a44b7cbc0fbe00c6ce4699af835de67e7720f5c2356688ac3b04cf. Original bytes preserved. All 18 physical pages/SCR 317–334 read in full as extracted text and original page images. Editorial headnote and case-law digest occupy physical 1–6/SCR 317–322; appellate docket and appearances at physical 6. Sanjiv Khanna's single judicial opinion paragraphs 1–21 starts physical 7/SCR 323A and ends physical 18/SCR 334B, followed by reporter tail. No adjacent judgment or separate opinion. All listed appeals and the leave-granted SLP are included.

Open cited source rendition

full primary text read: True; all primary page images reviewed: True; source integrity verified: True; actual statutory scope verified: True; all listed proceedings accounted for: True; all authored opinions separately accounted for: True; material later treatment limits prominent: True; comprehensive later treatment verified: False; current law verified: False; mapping 2025 verified: False; independent QA complete: True; parent full prose approval: True

Printed SCR title/date/bench and complete dockets checked in original images; frozen catalogue identity remains separate and unchanged.

No assessment years are stated for any of the lead or connected appeals. No dates are converted into years.

STATUTORY SCOPE

Current statutory equivalence and 2025 Act applicability have not been verified.

LATER TREATMENT

Source checked 2026-10-06. not_verified

IDENTIFIED SOURCE LINKS

[reported judgment - PDF pages: 18](#)

SHA-256: 41dde51945a44b7cbc0fbe00c6ce4699af835de67e7720f5c2356688ac3b04cf

[Interest-tax Act 1974, section 21](#)

[Income-tax Act 1961, section 260A](#)

[Bank of India v. Deputy Commissioner of Income Tax, Bombay High Court, 12 June 2025, 2025:BHC-OS:8715-DB, ITA 425/2003](#)

[historical statutory compilation - PDF pages: 1251](#)

SHA-256: 1ec6e4c38dc1d524d1d40b1fd35d13ac1336c8fc549cef2af1bf723a999c822b

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.

PROFESSIONAL DISCLAIMER

General research information only; not legal or tax advice, a certified judgment or a substitute for the full order. Applicability depends on facts, assessment year, statutory version and jurisdiction. Subsequent treatment is unverified unless identified sources are expressly stated. Downloading does not create a professional engagement. Obtain case-specific advice before reliance.