

Moti B. Totlani

That as per RERA authority order, Builder was directed to pay compensation with interest to assessee, the BOM. H. C. held that no TDS would be deductible u/s 194A from interest as amount paid is in the nature of judgment debt and there is no debtor- creditor relationship between the parties nor there is any pre-existing obligation as defined in section 2(28A) of the Act. (Sainath Rajkumar Sarode-283 TAXMAN 494- dt. 18-8-2021) That to ascertain residential status for an individual, the day of arrival in India has to be excluded. (Pradeep Kumar Joshi vs. ITO – 133 taxmann. com 283 DT. 29-10-2021) That proportionate disallowance of interest is not warranted u/s 14A for investments made in tax free bonds etc. yielding tax free income when interest free own funds available with the assessee exceeded their investments.....