



(V)

IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: May 13, 2004

ITA No.209/2002 &  
ITA Nos. 214-218/2004

C.I.T.

.....Appellant

Through Mr. R C Pandey, Adv.

Vs.

M/s. FUJI BANK LTD.

.....Respondent

Through Mr. M S Syali, Sr. Adv.

With Mr. Satish Khosla & Mr.

Manu K Giri.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE BADAR DURREZ AHMED

1. Whether reporters of local papers may be allowed to see the judgment ?
2. To be referred to the reporter or not ?
3. Whether the judgment should be reported in the Digest?

B.C. PATEL, C.J:(Oral)

Against the decision of the Income Tax Appellate Tribunal in Appeal No. 2744 to 2750(Del)/2000 for the financial years 1992-93 to 1998-99, the Revenue has approached this Court by way of these six appeals.

In these appeals, the Revenue has approached this Court by raising the question :-

“Whether the Tribunal was right in canceling penalty under Section 271C of the Income Tax Act, 1961 ?”



:2:

Appeals raising this very question in similar circumstances have been decided by the Court, today being ITA NO. 17/2003 (Other connected matters) titled as C.I.T. Vs. ITOCHU, following two decisions of this Court reported in 252 ITR 471, AZADI BACHAO ANDOLAN VS. UNION OF INDIA and WOODWARD GOVERNOR INDIA P. LTD. VS COMMISSIONER OF INCOME TAX AND OTHERS, reported in 253 ITR 745. In view of this, the appeals are dismissed.

  
CHIEF JUSTICE

  
BADAR DURREZ AHMED, J.

MAY 13, 2004  
PC.