



* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ ITA 651/2005

COMMISSIONER OF INCOME TAX Appellant
Through Ms. Premlata Bansal, Adv.

versus

M/S ESTEEM TOWERS P.LTD. Respondent
Through Mr. Jitender Saini, Adv.

CORAM:

HON'BLE MR. JUSTICE T.S. THAKUR
HON'BLE MR. JUSTICE B.N.CHATURVEDI

ORDER

15.12.2005

%

Heard. The Tribunal has recorded a clear finding of fact based on the available material that the companies who had purchased shares in the assessee company, were in existence and were being assessed to income tax.

In the light of the said finding, the addition of the amount received towards share capital to the taxable income of the assessee was not proper and has, therefore, been rightly deleted. No substantial question of law arises for our consideration. Dismissed.


T.S. THAKUR, J


B.N.CHATURVEDI, J

DECEMBER 15, 2005

SS