





Sr No	Date	Orders
		<p>* IN THE HIGH COURT OF DELHI AT NEW DELHI</p> <p>+ W P (C) 3026/2005</p> <p>COMMISSIONER OF INCOME TAX CEN Petitioner Through Ms Prem Lata Bansal</p> <p>versus</p> <p>M/S XFROX MODI CORPO LTD & A Respondent Through Mr R D Jolly for Settlement Commr</p> <p>CORAM: HON'BLE MR. JUSTICE SWATANTER KUMAR HON'BLE MR. JUSTICE MADAN B. LOKUR</p> <p style="text-align: center;"><u>ORDER</u> % 21.02.2005</p> <p><u>CM No 2263/2005 (Exemption)</u></p> <p>Allowed, subject to all just exceptions</p> <p>CM stands disposed of</p> <p><u>W P (C) 3026/2005</u></p> <p>Issue notice to the Respondent to show cause why the petition be not admitted</p> <p>Mr Jolly appearing for the Settlement Commissioner accepts notice</p> <p>We have heard learned counsel for the parties at some length</p> <p><i>WP (C) No 3026 of 2005</i></p>



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		<p>Mr Jolly fairly states that any application, even if admitted for settlement, within the purview and scope of Section 245 D, can be subsequently rejected by the Settlement Commissioner in its discretion and in consonance with the settled provisions of law</p> <p>We are at least of the prima facie view that the stand taken by the Respondent is in consonance with the scheme of the Act While granting liberty to the Petitioner to raise all these issues before the Settlement Commissioner at the time of the hearing of assessee's application for settlement, we dispose of this petition at this stage</p> <p>This petition is, accordingly, stands disposed of</p> <p>CM No 2262/2004 also stands disposed of</p> <p style="text-align: right;">  SWATANTER KUMAR, J </p> <p style="text-align: right;">  MADAN B. LOKUR, J </p> <p>FEBRUARY 21, 2005 kapil</p> <p><i>WP (C) No 3026 of 2005</i></p>