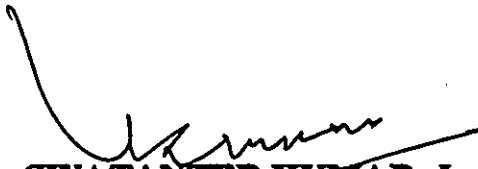





Sr. No.	Date	Orders
		<p>* <b>IN THE HIGH COURT OF DELHI AT NEW DELHI</b></p> <p>+ <b>ITA 16/2005</b></p> <p><b>THE COMMISSIONER OF INCOME TAX</b> ..... Petitioner Through <b>Mr. R.D. Jolly</b></p> <p><b>versus</b></p> <p><b>M/S INDIA LEASE DEVELOPMENT I.T.</b> ..... Respondent Through <b>Mr. O.S. Bajpai</b></p> <p><b>CORAM:</b> <b>HON'BLE MR. JUSTICE SWATANTER KUMAR</b> <b>HON'BLE MR. JUSTICE MADAN B. LOKUR</b></p> <p><b><u>ORDER</u></b> % <b>17.01.2005</b></p> <p>This appeal is directed against the order dated 23<sup>rd</sup> July, 2003 passed by the Income-tax Appellate Tribunal in ITA No.2446/Delhi/1999 for the assessment year 1995-96.</p> <p>It is fairly pointed out by learned counsel appearing for the Appellant that a question arising in the present appeal is squarely covered by the judgment of this Court in the case of <i>Commissioner of Income-tax v. Bansal Credits Ltd., (2003) 259 ITR 69</i>. He also further concedes that the special leave petition preferred by the department against the judgment of <i>ITA No.16 of 2005</i></p>



Sr. No:	Date	Orders
		<p>this Court in that case has already been dismissed by the Supreme Court.</p> <p>Consequently, we find no merit in this appeal and the same is dismissed in view of the law laid down in Bansal Credits Ltd. (supra).</p> <p style="text-align: right;"> <b>SWATANTER KUMAR, J</b></p> <p style="text-align: right;"> <b>MADAN B. LOKUR, J</b></p> <p><b>JANUARY 17, 2005</b> kapil</p> <p style="text-align: center;"><i>ITA No.16 of 2005</i></p> <p style="text-align: right;"><i>page 2 of 2</i></p>