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% 06.03.2009

Present: Mr Ajay Vohra with Ms Kavita Jha & Mr Sriram Krishna for  
the appellants.  
Mr R D Jolly for the respondent.

**+CM No 3223/2009 (exemption)**

\* Allowed subject to all just exceptions.

CM stands disposed of.

**WP(C ) No 7373/2009 & CM 3222/2009 (stay)**

After some hearing counsel for the parties at length, learned counsel for the petitioner agrees that the petitioner shall deposit a sum of Rs 2 crore on or before 09.03.2009. Upon doing so the impugned order shall stand set aside. The petitioner shall file a fresh application seeking stay giving full particulars, setting out, amongst others, its financial difficulty, if any, in paying the tax demanded presently. The application shall be disposed of by a speaking order after taking into account the judgments of this Court in **Valvoline Cummins Limited vs DCIT: (2008) 307 ITR 103** and **M/s Soul vs Deputy Commissioner of Income Tax, Central Circle-10, WP(C) No. 5665/2008, dated 07.08.2008** pertaining to high pitched demands. The application will be moved within seven days from today.



The writ petition is disposed of in these terms. Pending bearing No 3222/2009 also stands disposed of.

A handwritten signature in black ink, appearing to read 'V Sen'.

**VIKRAMAJIT SEN, J**

A handwritten signature in black ink, appearing to read 'Rajiv Shakhder'.

**RAJIV SHAKDHER, J**

**March 06, 2009**

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