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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ ITA 477/2010

CONTAINER CORPORATION OF INDIA LTD. Appellant
Through Mr. S. Krishnan, Adv.
versus

ASSISTANT COMMISSIONER OF INCOME TAX Respondent
Through Ms. P.L. Bansal, Adv.

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE MANMOHAN

ORDER

% **12.07.2010**
CM No.4988/2009

This is an application for condonation of delay in re-filing the appeal. Having heard learned counsel for the parties, the delay in re-filing the appeal is condoned. The application is allowed.

ITA No. 477/2010

Mr. S. Krishnan, learned counsel appearing for the assessee submitted that the Corporation had approached the Committee On Disputes (COD) or grant for permission to prefer the appeal and the COD has directed the assessee to make an effort to amicably settle the dispute with certain directions and, therefore, he may be permitted to withdraw the appeal with liberty to re-file, if circumstances so warrant.



In view of the obtaining factual matrix, the appeal is permitted to be withdrawn with liberty to re-file. Needless to emphasize that the revenue has the liberty to oppose the prayer for condonation of delay depending upon the consumption of time for grant of approval or time spent in settlement.

Manmoh
CHIEF JUSTICE

Manmoh
MANMOHAN, J

JULY 12, 2010

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- Fresh case 12.2.11 - for finalising of
Order dt 12.7.10