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

+ **ITA 120/2023**

TRANSCEND MT SERVICES PRIVATE LIMITED..... Appellant
Through: Mr Vishal Kalra with Mr S.S.Tomar,
Advocates.

versus

THE DEPUTY COMMISSIONER OF INCOME TAX, CIRCLE
25(2), NEW DELHI Respondent
Through: Mr Shlok Chandra, Jr. Standing
Counsel.

CORAM:

HON'BLE MR JUSTICE RAJIV SHAKDHER

HON'BLE MS JUSTICE TARA VITASTA GANJU

ORDER

% **02.03.2023**

[Physical Hearing/Hybrid Hearing (as per request)]

CM APPL. 10174/2023

1. Allowed, subject to just exceptions.

CM APPL. 10175/2023

2. This is an application filed on behalf of the appellant seeking condonation of delay in re-filing the appeal.

3. According to the appellant/assessee, there is delay of 205 days.

4. Counsel for the respondent/revenue says, that he does not oppose the delay in re-filing the appeal.

5. Accordingly, for the reasons given in the application, the delay is condoned.

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6. This appeal concerns Assessment Year (AY) 2011-2012.
7. There are broadly two issues, which according to the appellant/assessee, arise for consideration:
 - (i) First, the inclusion of Accentia Technologies Ltd. in the list of comparable companies.
 - (ii) Second, the adjustment made on account of working capital, which was not asked for by the appellant/assessee.
8. Issue notice.
- 8.1 Mr Shlok Chandra, who appears on behalf of the respondent/revenue, accepts notice.
9. List the appeal on 21.08.2023.
10. Counsel for the parties will file their written submissions, not exceeding three pages each, at least five days before the next date of hearing.

RAJIV SHAKDHER, J

TARA VITASTA GANJU, J

MARCH 2, 2023 / tr

[Click here to check corrigendum, if any](#)