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

+ **ITA 439/2023 & CM Nos. 40908-09/2023**

COMMISSIONER OF INCOME
TAX EXEMPTION DELHI

..... Appellant

Through: Mr Abhishek Maratha, Sr Standing
Counsel with Mr Akshat Singh,
Standing Counsel.

versus

BABA GOPAL DASS SAHIB (TALIB) TRUST Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

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29.08.2023

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

1. We may note that in our order dated 10.08.2023, an inadvertent typographical error has crept in paragraph 2.

1.1. The date when the application was first filed by the petitioner for registration with the Commissioner of Income Tax (Exemptions) has been shown as 03.02.2017, whereas the date should have been indicated as 20.11.2015.

2. The order dated 10.08.2023 shall stand corrected to that extent. All other parts of the order dated 10.08.2023 shall remain unaltered.

3. Furthermore, Mr Abhishek Maratha, learned senior standing counsel, who appears on behalf of the appellant/revenue, says that the communication dated 06.05.2016 was served on the respondent/assessee, as per the instructions received by him, on 10.05.2016.

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3.1 Mr Maratha also informs us that he has obtained a photocopy of the tracking report. Mr Maratha says that he will file an affidavit which will be accompanied, both by the tracking report as well as the document which was delivered to the respondent/assessee. Leave in that behalf is granted.

4. In order to hasten the process, we are inclined to issue notice to the respondent/assessee.

4.1 It is ordered accordingly. Issue notice to the respondent/assessee *via* all modes, including e-mail.

5. Notice issued to the respondent/assessee will be accompanied by a copy of the appeal as well as the affidavit which we have directed Mr Maratha to place on record.

6. List the matter on 28.11.2023.

RAJIV SHAKDHER, J

GIRISH KATHPALIA, J

AUGUST 29, 2023

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Click here to check corrigendum, if any