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

+ **ITA 502/2023**

COMMISSIONER OF INCOME TAX (EXEMPTIONS) DELHI

..... Appellant

Through: Mr Abhishek Maratha, Sr.
Standing Counsel.

versus

M/S INDIA HABITAT CENTRE

..... Respondent

Through: Mr P. Roy Chaudhary with Mr
Gagan Gupta, Advs.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

04.09.2023

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

CM No.45551/2023 [*Application filed on behalf of the appellant seeking condonation of delay of 202 days in re-filing the appeal*]

1. This is an application moved on behalf of the appellant/revenue seeking condonation of delay in re-filing the appeal.

1.1 According to the appellant/revenue, there is a delay of 202 days in re-filing the appeal.

2. Mr P. Roy Chaudhary, learned senior standing counsel, who appears on behalf of the respondent/revenue, says that he would have no objection if the prayer made in the application is granted.

3. Accordingly, the prayer made in the application is allowed.

4. The application is disposed of.

ITA 502/2023

Page 1 of 2



ITA 502/2023

5. This appeal concerns Assessment Year (AY) 2016-17.
6. *Via*, this appeal the appellant/revenue seeks to assail the order dated 17.06.2022 passed by the Income Tax Appellate Tribunal [in short, “Tribunal”].
7. Mr Abhishek Maratha, learned senior standing counsel, who appears on behalf of appellant/revenue, says that the issue raised in the present appeal is covered by the judgment of a coordinate bench concerning AY 2012-13 passed in ITA No. 964/2019, titled *Commissioner of Income Tax (Exemption) vs. India Habitat Centre*.
8. Accordingly, no substantial question of law arises for our consideration.
9. Accordingly, the appeal is closed.

RAJIV SHAKDHER, J

GIRISH KATHPALIA, J

SEPTEMBER 4, 2023/RY

Click here to check corrigendum, if any