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

+ **ITA 53/2023**

COMMISSIONER OF INCOME TAX (INTERNATIONAL
TAXATION)-2 Appellant

Through: Ms Easha Kadian, Advocate.

versus

M/S MITSUI AND CO. Respondent

Through: Mr Ved K. Jain, Advocate.

CORAM:

HON'BLE MR JUSTICE RAJIV SHAKDHER

HON'BLE MS JUSTICE TARA VITASTA GANJU

ORDER

27.01.2023

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

CM APPL. 4019/2023

1. This is an application filed on behalf of the appellant seeking condonation of delay in re-filing the appeal.
2. According to the appellant/revenue, there is delay of 150 days.
3. Mr Ved K. Jain, who appears on behalf of the respondent, says that he has no objection to the prayer made in the application.
4. Accordingly, for the reasons given in the application, the delay is condoned.
5. The application is disposed of in the aforesaid terms.

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6. This appeal concerns Assessment Year (AY) 2009-2010.
7. We are told that the issue which arises for consideration in this appeal also obtains in ITA 38/2023 titled *Commissioner of Income Tax (International Taxation) v. M/s Mitsui & Co.*
- 7.1 The said appeal is listed on 31.01.2023.
8. Accordingly, list the above-captioned appeal on the same date i.e., 31.01.2023.

RAJIV SHAKDHER, J

TARA VITASTA GANJU, J

JANUARY 27, 2023 / tr

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