

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWPs-6383-6382-6398-6397-2015 (O&M)

Date of decision:- 30.07.2015

M/s Asian Consolidated Industries Ltd.

...Petitioner

Versus

Assistant Commissioner of Income Tax, New Delhi and another.

...Respondents

CORAM: HON'BLE MR. JUSTICE S.J. VAZIFDAR, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE G.S. SANDHAWALIA

Present: Mr. Anand Chibbar, Senior Advocate,
with Ms. Riya Bansal, Advocate,
for the petitioner.

Mr. Saurabh Dalal, Advocate,
and Mr. Rohit Madan, Advocate,
for the respondents.

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S.J. VAZIFDAR, A.C.J. (ORAL)

The petitioner has challenged the order(s) of the Income Tax Appellate Tribunal dismissing its appeal(s) against the penalty proceedings on the ground of delay.

2. In effect, therefore, the petitioner's grievance is with respect to the penalty proceedings. The grievance stands redressed in any event in view of the fact that the quantum proceedings have been decided in favour of the petitioner/assessee. There is no question, therefore, of the penalty proceedings under Section 271 of the Income Tax Act, 1961 surviving.

3. The writ petitions are accordingly disposed of with the clarification that the petitioner's grievance stands redressed and the penalty proceedings do not survive. In view thereof, no further orders are necessary in these writ petitions.

4. The objection to these petitions on the ground of delay is, therefore, not sustainable.

(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE

(G.S. SANDHAWALIA)
JUDGE

30.07.2015