$~27

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

\+ **ITA 519/2016**

PR. COMMISSIONER OF INCOME TAX-DELHI-XXI ..... Appellant

Through: Mr. P. Roy Chaudhuri, Sr. Standing Counsel.

versus

SUBHASH SHARMA ..... Respondent

Through

CORAM:
JUSTICE S. MURALIDHAR
JUSTICE NAJMI WAZIRI

O R D E R

% **03.08.2016**

CM No. 27709/2016 (Exemption)

1. Allowed subject to all just exceptions.

CM No. 27711/2016 (condonation of delay in re-filing) & 27710/2016 (condonation of delay in filing)

2. For the reasons given in the applications the delay in filing and re-filing of the appeal is condoned.

3. The applications are allowed.

ITA No. 519/2016

4. This appeal by the Revenue is directed against the order dated 14th October, 2015 passed in the Income Tax Appellate Tribunal ('ITAT') in ITA No. 1573/Del/2012 relating to the Assessment Year 2007-08.

5. The question urged by the Revenue is whether the ITAT was justified in holding that no addition could be made under Section 68 of the Income Tax Act, 1961 on the basis of retracted statement of the Assessee without any corroborative evidence.

6. Having perused the impugned order of the ITAT, which correctly analyses the facts and the legal position as explained in the decisions discussed in the impugned order, the Court is satisfied that no substantial question of law arises for consideration. The appeal is, accordingly, dismissed.

S.MURALIDHAR, J

NAJMI WAZIRI, J

AUGUST 03, 2016/kk