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

\+ W.P.(C) 3252/2015 & CM No. 5826/2015

MOSER BAER INDIA LIMITED ..... Petitioner

Through: Mr. Ajay Vohra, Sr. Advocate along with Mr. Aditya Vohra, Advocate.

versus

DEPUTY COMMISSIONER OF INCOME-TAX & ANR. ..... Respondents

Through: Mr. Rahul Chaudhary, Sr. Standing Counsel along with Mr. Raghuvendra Singh, Jr. Standing Counsel, Advocate.

CORAM:
HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MS. JUSTICE DEEPA SHARMA

O R D E R

% **20.10.2016**

The assessee in this writ petition has questioned re-assessment notice for AY 2007-2008. It is contended that there is no tangible material to justify the re-opening of concluded assessment and that in similar circumstances for other assessment orders, this court has set aside notices under Section 147/148 of the Income Tax Act.

Learned counsel for the revenue submits that according to his instructions-through the letter of the Deputy Commissioner of Income Tax dated 05.04.2016, a decision has been taken not to press the issue and furthermore that the re-assessment proceedings for the year in question would be dropped/not pursued.

In these circumstances, we are of the opinion that the petition has to succeed. The re-assessment notice and consequently proceedings are hereby quashed.

S. RAVINDRA BHAT, J

DEEPA SHARMA, J

OCTOBER 20, 2016
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