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

+ ITA 681/2016

JCB INDIA LTD.

..... Appellant

Through: Mr.M.S.Syali, Sr.Adv. with Mr.Mayank
Nagi, Adv.

versus

DEPUTY COMMISSIONER OF INCOME TAX CIRCLE 13(1),

..... Respondent

Through: Mr. Zoheb Hossain, Sr. Standing counsel for
Revenue.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

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26.09.2016

1. The appellant challenges the order of Income Tax Appellate Tribunal ("ITAT") on three issues (though casting five questions). At the outset, it is pointed out that an application under Section 154 has been filed before the ITAT of which cognizance has been taken. In these circumstances, the court is of the opinion that the appellant should await the decision of the ITAT and then move the court, if aggrieved.
2. Liberty granted; it is also clarified that eventually if the appellant is aggrieved and approaches this court, it is open for it to urge all questions, including all or any of the question or issue urged in this application.
3. The appeal is dismissed as withdrawn.

S. RAVINDRA BHAT, J

DEEPA SHARMA, J

SEPTEMBER 26, 2016/*mr*