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

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\+ **ITA 125/2016**

COMMISSIONER OF INCOME TAX ..... Appellant

Through: Mr. P.Roy Chaudhary, Senior Standing Counsel.

versus

AIRPORT AUTHORITY OF INDIA ..... Respondent

Through: Mr. Digvijay Rai, Mr. Sayed Hassan Bin Tahar, Advocates.

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE VIBHU BAKHRU

O R D E R

% **12.02.2016**

CM No. 4253 of 2016(exemption)

1. Allowed, subject to all just exceptions.

2. The application is disposed of.

CM No. 4254 of 2016 (delay) and ITA No. 125 of 2016

3. There is a delay of 1285 days in re-filing the appeal. The explanation offered is the standard one regarding the practice directions issued by this Court for e-filing of the appeals. As has already been observed by this Court

in several orders, the practice directions were issued after consultation with the bar and after giving sufficient time for the bar to get acquainted with the requirement of e-filing. Additionally, the Court has also provided scanning machines at the filing counter so that no difficulty is caused to the bar for switching over to the system of e-filing. In any event, the delay of over three years on this ground is wholly unacceptable. Consequently, the Court is not persuaded to condone the extraordinary delay of 1285 days in re-filing the appeal.

4. The application bearing CM No. 4254 of 2016 for condonation of the delay of 1285 days in re-filing the appeal is dismissed. Accordingly, the appeal is dismissed.

S.MURALIDHAR, J

VIBHU BAKHRU, J

FEBRUARY 12, 2016
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