$~
* IN THE HIGH COURT OF DELHI AT NEW DELHI
11.

\+ ITA 66/2016

COMMISSIONER OF INCOME TAX TDS ..... Appellant
Through: Mr P. Roy Chaudhuri and Ms Lakshmi Gurung, Advocates.

versus

MOTHER DAIRY FOODS PROCESSING LTD. ..... Respondent
Through

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE VIBHU BAKHRU

<u>O R D E R</u>
% 12.01.2016

<u>CM No.985/2016</u>

1. Allowed, subject to all just exceptions.

2. The application stands disposed of.

<u>ITA 66/2016 & CM No.984/2016</u>

3. There is an extraordinary delay of 807 days in re-filing the appeal. Nevertheless, even on merits, it is stated that the questions urged in this appeal are covered against the Revenue by the decision of this Court dated 30th January, 2012 in ITA No.1925/2010 (***CIT v. Mother Diary India Ltd.***)

4. The appeal is, accordingly, dismissed both on the grounds of

extraordinary delay in re-filing the appeal as well as on merits.

S.MURALIDHAR, J

VIBHU BAKHRU, J

JANUARY 12, 2016
MK