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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
17.
\+ **ITA 244/2016**

THE PR.COMMISSIONER OF INCOME TAX-14 ..... Appellant
Through: Mr. Dileep Shivpuri, Senior Standing counsel.

versus

SUDHIR SIKRI ..... Respondent
Through: Mr. Rohit Kumar Gupta and Ms. Monika, Advocates.

CORAM:
JUSTICE S. MURALIDHAR
JUSTICE VIBHU BAKHRU

O R D E R
% **08.04.2016**

ITA No. 244/2016 & CM APPL No. 12672/2016 (for condonation of delay of 975 days in re-filing the appeal)

1. There is an inordinate delay of 975 days in re-filing the appeal.

2. The Court finds that the standard excuse that the department is putting forth in all such applications for condonation of delay in re-filing the appeal is the change of Standing Counsel for the Department and the failure by the earlier counsel to inform the Department about the appeal lying in defect. This explanation does not impress the Court. It is not possible to accept that no one in the Department followed up on the filing of appeals and allowed a period of more than two and a half years to elapse before the appeal could be re-filed. The Department has a cell in the High Court which is under the supervision of a Deputy CIT. He ought to be keeping track of the filing of appeals and should be able to know if

any appeal entrusted to the panel counsel for filing has not been listed even once before the Court for a long time.

3. The application CM No. 12672/2016 for the condonation of delay of 975 days in re-filing the appeal is dismissed. Accordingly, the appeal is dismissed.

S. MURALIDHAR, J

VIBHU BAKHRU, J

APRIL 08, 2016
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