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

+ **ITA 13/2016**

MAHALAXMI BULLIONS PVT. LTD. Appellant

+ **ITA 18/2016**

NORTH DELHI BULLION TRADERS PVT. LTD Appellant

Versus

COMMISSIONER OF INCOME TAX & ANR. Respondents

Through: Mr. Shambhu Nath Singh, Advocate
for Appellants.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **07.02.2017**

**Review Petition No.53/2017 & CM Nos.4927-28/2017 in ITA 13/2016 &
Review Petition No.52/2017 & CM Nos.4925-26/2017 in ITA 18/2016**

We have heard the counsel for the parties and we are of the opinion that there is no cause to recall the order dated 14.12.2016 dismissing the appeals. At the same breath, we clarify that the applicants/appellants are at liberty to urge all the grounds on merits, in penalty proceedings as well as the prosecutions, given the fact that the finality of an adverse adjudication order, would not come in the way of the independent appraisal of facts in penalty proceedings. The review petitions alongwith pending applications are dismissed but subject to the above exemptions.

S. RAVINDRA BHAT, J.

NAJMI WAZIRI, J.

FEBRUARY 07, 2017

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