$~86

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

\+ W.P.(C) 230/2016

TIRUPATI BALAJI FIBERS LIMITED ..... Petitioner
Through: Mr Ankit Gupta and Mr Dinesh Mohan

versus

PRINCIPAL COMMISSIONER OF INCOME TAX & ORS. ..... Respondents
Through: Mr Ashok K. Manchanda

CORAM:
HON'BLE MR. JUSTICE BADAR DURREZ AHMED
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

O R D E R

% 11.01.2016

CM No. 978/2016 (exemption)

The exemption is allowed subject to all just exceptions.

W.P.(C) 230/2016 and CM No. 977/2016

One of the grievances of the petitioner is that the appeal filed by the petitioner before the Commissioner of Income Tax (Appeals) in respect of the assessment year 2007-08 is not being taken up for hearing. On the other hand, the department is pressing for demands which have been raised by virtue of the assessment order which is under appeal. It is further contended that the stay which was prayed for before the Assessing Officer has also been rejected.

We have heard the learned counsel for the parties at the first instance and we are disposing of this writ petition with the direction that the concerned Commissioner of Income Tax (Appeals) shall dispose of the appeal filed by the petitioner as expeditiously as possible and preferably within eight weeks. In the meanwhile, it would also be open to the petitioner to move an application before the Commissioner of Income Tax for stay of the demand.

The writ petition stands disposed of with the aforesaid direction.

Dasti.

BADAR DURREZ AHMED, J

SANJEEV SACHDEVA, J

JANUARY 11, 2016
SU