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

\+ W.P.(C) 410/2017, C.M. APPL.1852-1853/2017

HALCROW GROUP LTD. ..... Petitioner

Through : Sh. Salil Kapoor, Sh. Sanat Kapoor and Ms. Ananya Kapoor, Advocates.

versus

DEPUTY COMMISSIONER OF INCOME TAX & ORS. ..... Respondents

Through : Sh. Ruchir Bhatia, Sr. Standing Counsel.

Sh. Ruchir Mishra and Sh. Mukesh. K. Tiwari, Advocates, for UOI.

CORAM:
HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MR. JUSTICE NAJMI WAZIRI

O R D E R

% 25.01.2017

The petitioner's grievance is that the directions of the Dispute Resolution Panel (DRP) dated 21.12.2016 are contrary to law inasmuch as it has proceeded on the assumption that the deductions, which were disallowed under Section 40(a)(ia) were for the period AY 2012-13 which is a factual inaccuracy whereas the amounts were deducted for the period covered by AY 2013-14. Learned counsel for the petitioner submits that the DRP has since taken *suo motu* initiative and proceeded under Section 154 of the Income Tax Act, 1961 towards rectification and has heard the parties finally. It is also pointed out that the last date for framing assessment under Section 143(3) is 30.01.2017.

There does not appear to be any serious dispute about the factual contentions of the petitioner – it is also apparent that the DRP conducted a *suo motu* rectification proceeding for the fallacy it noticed in the order with respect to the concerned year. In these circumstances, the Court is of the opinion that the DRP should proceed to make its order at its earliest expedience, taking into account the fact that the concerned transactions were covered by AY 2013-14. In case there is any surviving grievance, it is open to the petitioner to seek remedies in accordance with law.

Order *dasti* under the signatures of Court Master.

S. RAVINDRA BHAT, J

NAJMI WAZIRI, J

JANUARY 25, 2017/ajk