

\$~8 to 10

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

+ **ITA 953/2016, C.M. APPL.48248-48249/2016**

+ **ITA 954/2016, C.M. APPL.48250-48251/2016**

+ **ITA 955/2016, C.M. APPL.48252/2016**

COMMISSIONER OF INCOME TAX-V

..... Appellant

versus

M/S RPS INFRASTRUCTURE LTD.

..... Respondent

Through : Sh. Dileep Shivpuri, Sr. Standing Counsel with Sh. Sanjay Kumar and Sh. Vikrant. A. Maheshwari, Advocate, for appellant, in Item Nos.8 to 10.

Sh. Ved Kumar Jain, Ms. Rano Jain and Sh. Pranjal Srivastava, Advocates, for respondents, in Item Nos. 8 to 10.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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30.01.2017

It is stated that *Najmi Waziri, J* had booked a flat in one of the projects of the respondent assessee the possession of which has not been handed over. Learned counsel for the parties express that they have no objection with the present Bench hearing the matter.

C.M. APPL.48249/2016 in ITA 953/2016

C.M. APPL.48251/2016 in ITA 954/2016

C.M. APPL.48252/2016 in ITA 955/2016

The appeals are inordinately delayed by 693 days. The Revenue's explanation, as part of its application for condonation of delay is not only unconvincing but utterly untenable. It states that the pendency of a large number of appeals, administrative difficulties by

reason of manpower inadequacy and the changes in the panel of its counsel led to the delay in refiling. These are not “sufficient causes” to persuade the Court to condone the delay. The applications are accordingly dismissed.

ITA 953/2016, ITA 954/2016 & ITA 955/2016

In view of the orders made in C.M.Appl.48249/2016, 48251/2016 & 48252/2016, the appeals are dismissed.

S. RAVINDRA BHAT, J

NAJMI WAZIRI, J

JANUARY 30, 2017/ajk