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

\+ ITA 1123/2017

THE PR. COMMISSIONER OF INCOME TAX (CENTRAL-1) ..... Appellant

Through: Mr. Ruchir Bhatia, Adv.

versus

M/S ASCOT INVESTMENT ..... Respondent

Through: Mr. Ved Jain, Ms. Rano Jain, Mr. Pranjal Srivastava and Ms. Devina Sharma, Advs.

CORAM:
HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

O R D E R

% **08.12.2017**

The Revenue is aggrieved by the order dated 05.05.2016 passed by the ITAT. It is pointed out that this order – like in ITA No. 1122/2017 pertains to AY 2008-09. This aspect was clarified in a subsequent order dated 03.03.2016. It is pointed out and this Court notices that the common order of the ITAT inadvertently adjudicated the appeals for AY 2010-11 without noticing that for the said assessment year, the assessee's appeals was dismissed by the order dated 03.03.2016. This was later clarified by the ITAT's order made in MA No. 155/2016 in ITA 384/2013 on 18.10.2016.

In above view of the matter, the relief granted in AY 2010-11 was inadvertent to that extent, for AY 2010-11, the matter was adjudicated in the previous order dated 03.03.2016, therefore, the discussion in the impugned order dated 05.05.2017 was unnecessary and therefore, it is of no consequence.

The ITA No. 1123/2017 is therefore disposed of in the above terms.

S. RAVINDRA BHAT, J

SANJEEV SACHDEVA, J

DECEMBER 08, 2017
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