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

\+ **ITA 1127/2018**

PRINCIPAL COMMISSIONER OF INCOME TAX-7 ..... Appellant

Through: Mr. Sanjay Kumar and Mr. Asheesh Jain, Advocates.

versus

RAHUL POLYMERS PVT. LTD. ..... Respondent

Through: None.

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE SANJEEV NARULA

<u>O R D E R</u>

% 26.10.2018

<u>CM APPL. 42716/2018 (Exemption)</u>

1. Exemption allowed, subject to all just exceptions.

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2. The issue in the present appeal by the Revenue against the order dated 24th April 2018 of the Income Tax Appellate Tribunal in ITA No. 2972/Del/2011 (being the Assessee's appeal) for the Assessment Year 2006-07 concerns the value of the construction of a building in which the Respondent Assessee had invested and which was subject matter of the assessment. The list of dates set out by the revenue in the appeal itself is explicit about the number of levels this issue has been examined and the report of the Departmental Valuation Officer analysed. Before the ITAT both the Revenue and the Assessee were in appeal. The impugned order of

the ITAT has partly allowed the appeal of the Assessee while dismissing the appeal of the Revenue.

3. This being the fourth level of the litigation, and the determination being based purely on facts, the Court is unable to find any substantial question of law arising for determination.

4. The appeal is accordingly dismissed.

S.MURALIDHAR, J.

SANJEEV NARULA, J.

OCTOBER 26, 2018
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