$~41 to 47

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

\+ W.P. (C) 957/2019 & CM APPL. 4287/2019

M/S KRBL LIMITED ..... Petitioner

versus

DEPUTY COMMISSIONER OF INCOME TAX ..... Respondent

\+ W.P. (C) 958/2019 & CM APPL. 4289/2019

M/S KRBL LIMITED ..... Petitioner

versus

DEPUTY COMMISSIONER OF INCOME TAX ..... Respondent

\+ W.P. (C) 959/2019 & CM APPL. 4291/2019

M/S KRBL LIMITED ..... Petitioner

versus

DEPUTY COMMISSIONER OF INCOME TAX ..... Respondent

\+ W.P. (C) 960/2019 & CM APPL. 4293/2019

M/S KRBL LIMITED ..... Petitioner

versus

DEPUTY COMMISSIONER OF INCOME TAX ..... Respondent

\+ W.P. (C) 961/2019 & CM APPL. 4295/2019

M/S KRBL LIMITED ..... Petitioner

versus

DEPUTY COMMISSIONER OF INCOME TAX ..... Respondent

\+ W.P. (C) 968/2019 & CM APPL. 4345/2019

M/S KRBL LIMITED ..... Petitioner

versus

DEPUTY COMMISSIONER OF INCOME TAX ..... Respondent

\+ W.P. (C) 969/2019 & CM APPL. 4347/2019

M/S KRBL LIMITED ..... Petitioner

versus

DEPUTY COMMISSIONER OF INCOME TAX ..... Respondent

Present: Mr.Sourav Kirpal, Ms.Shreya Jain and Mr.Gaurav Tanwar, Advocates for petitioner (M/S KRBL LIMITED) in Item Nos.41 to 47.
Mr.Ashok K. Manchanda, Sr. Standing Counsel for Income Tax Department in Item Nos.41 to 47.

CORAM:
HON'BLE MR. JUSTICE G.S.SISTANI
HON'BLE MS. JUSTICE JYOTI SINGH

O R D E R

% 29.01.2019

CM APPL. 4288/2019 *(exemption)* **in W.P. (C) 957/2019**
CM APPL. 4290/2019 *(exemption)* **in W.P. (C) 958/2019**
CM APPL. 4292/2019 *(exemption)* **in W.P. (C) 959/2019**
CM APPL. 4294/2019 *(exemption)* **in W.P. (C) 960/2019**
CM APPL. 4296/2019 *(exemption)* **in W.P. (C) 961/2019**
CM APPL. 4346/2019 *(exemption)* **in W.P. (C) 968/2019**
CM APPL. 4348/2019*(exemption* **in W.P. (C) 969/2019**

Exemptions allowed, subject to all just exceptions.

The applications stand disposed of.

W.P. (C) 957/2019 & CM APPL. 4287/2019
W.P. (C) 958/2019 & CM APPL. 4289/2019
W.P. (C) 959/2019 & CM APPL. 4291/2019
W.P. (C) 960/2019 & CM APPL. 4293/2019

<u>W.P. (C) 961/2019 & CM APPL. 4295/2019</u>
<u>W.P. (C) 968/2019 & CM APPL. 4345/2019</u>
<u>W.P. (C) 969/2019 & CM APPL. 4347/2019</u>

The challenge in the writ petitions is to the Assessment proceedings for the Assessment Years (AY) 2010-11, 2011-12, 2012-13, 2013-14, 2014-15, 2015-16 and 2016-17. The proceedings were completed on 31.12.2018 resulting in assessment order being passed and Notices of demand being issued for a collective demand of Rs.1269.19 crores. Against the aforesaid order and Notices of demand dated 31.12.2018 as well as Notices initiating the penalty proceedings, the petitioners preferred appeals before the CIT (A). Along with the appeals, applications were filed seeking stay of the demand.

Grievances of the petitioners are that although notices have been issued but no interim protection has been granted.

Mr.Kirpal, learned counsel for the petitioners submits that upon completion of 30 days period, the petitioners would be saddled with both interest and penalty.

Learned senior standing counsel for the respondent enters appearance on behalf of the respondent and submits that the present writ petitions are pre-mature and Commissioner of Income Tax (CIT) (Appeal) is yet to hear the applications. He further submits, on instructions, that the petitioners had approached the concerned Deputy Commissioner who is the Assessing Officer and various proposals have been exchanged which are under consideration. Learned counsel further submits that till the final decision is taken in the matter by the concerned Deputy Commissioner, no coercive steps will be taken against the petitioners. He further submits that in case, the matter is not considered favourably, no coercive steps will be taken for another one week to enable the petitioners to seek legal remedies in accordance with law.

Binding the respondent to the submissions made by the learned senior standing counsel in the court today, all writ petitions along with pending applications are disposed of.

G.S.SISTANI, J

JYOTI SINGH, J

JANUARY 29, 2019

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