$~29 & 33.

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

\+ ITA 35/2020

\+ ITA 37/2020

PR. COMMISSIONER OF INCOME TAX, DELHI-2..... Appellant

Through: Ms. Vibhooti Malhotra and Mr.Ajinkya Tiwari, Advocates.

versus

M/S BSES YAMUNA POWER LTD. ..... Respondent

Through: Ms. Kavita Jha and Mr. Udit Naresh, Advocates.

CORAM:
HON'BLE MR. JUSTICE VIPIN SANGHI
HON'BLE MR. JUSTICE SANJEEV NARULA

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

% **24.01.2020**

<u>C.M. No. 2707/2020 and C.M. No. 2784/2020</u>

Exemptions allowed, subject to all just exceptions.

The applications stand disposed of.

<u>C.M. No. 2709/2020 and C.M. No. 2785/2020</u>

For the reasons stated in the applications, the same are allowed. The delay in re-filing is condoned.

<u>ITA 35/2020 and ITA 37/2020</u>

Issue notice. Learned counsel for the respondent accepts notice.

The present appeal preferred by the Revenue relates to the order dated

25.03.2019 passed by the Income Tax Appellate Tribunal, Delhi Bench: 'A', New Delhi in ITA No. 6226/Del/2018 (in respect of Assessment Year 2005-06) and in ITA No. 6229/Del/2018 (in respect of Assessment Year 2008-09). The Tribunal has dealt with several assessment orders by the same impugned order.

This Court has dealt with the issues raised by the Revenue in ITA Nos. 02/2020 & 03/2020, which were both disposed of by our order dated 08.01.2020. Two other ITAs i.e. ITA Nos. 04/2020 & 06/2020 have also been disposed of in terms of our order dated 08.01.2020 on 10.01.2020.

The present appeal is also disposed of in terms of the said order dated 08.01.2020 in ITA No. 02/2020.

VIPIN SANGHI, J

SANJEEV NARULA, J

JANUARY 24, 2020
B.S. Rohella