

IN THE HIGH COURT OF ORISSA AT CUTTACK

ITA No.33 of 2018

***Commissioner of Income Tax
(Exemptions) Hyderabad***

....

Appellant

Mr. Tushar Kanti Satpathy,
Standing Counsel Income Tax

-versus-

***M/s.Sakuntala Devi Foundation for
Cancer Research & Treatment
Ramachandrapur Bazar, Khurda***

....

Respondent

CORAM:

**THE CHIEF JUSTICE
JUSTICE A.K. MOHAPATRA**

Order No.

**ORDER
14.03.2022**

02. 1. The matter is taken up through hybrid arrangement (virtual /physical mode).
2. The present appeal by the Department is directed against the order dated 26th October, 2017, passed by the Income Tax Appellate Tribunal, Cuttack Bench, Cuttack in ITA No.317/CTK/2015. By the impugned order, the I.T.A.T. was directed to set aside the order of the CIT (Exemption) in declining to grant the Respondents registration under Section 12AA of the Registration of Income Tax Act 1961 (for short 'the Act') and the I.T.A.T. directed the C.I.T. (Exemption) to grant such registration.
3. During pendency of the present appeal for over three years as of now, there was no stay of the impugned order of the I.T.A.T. In all probability, the order has been implemented.

4. In that view of the matter, the Court is not inclined frame the question of law as urged by the Department in the present appeal. No substantial question arises.

5. The appeal is dismissed.

(Dr. S. Muralidhar)
Chief Justice

(A.K. Mohapatra)
Judge

U. Sahoo/J. Behera

