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

\+ ITA 399/2023

PR. COMMISSIONER OF INCOME TAX-1 ..... Appellant
Through: Mr. Sanjay Kumar & Ms. Easha, Advs.

Versus

M/S ANSAL PROPERTIES AND INFRASTRUCTURE LIMITED ..... Respondent
Through: Mr. Tapas Ram Misra, Adv.

CORAM:
HON'BLE MR. JUSTICE YASHWANT VARMA
HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

O R D E R

% **07.05.2024**

Having heard learned counsels for parties we find that questions (A) to (D) stand covered and answered against the appellant in light of the judgment rendered today in ITA No. 398/2023.

Insofar as proposed question (E) is concerned, it is fairly conceded on behalf of the respondent that the same would have to be answered in favour of the Revenue bearing in mind the judgment of the Supreme Court in **Checkmate Services P. Ltd. vs. Commissioner of Income Tax-1** [2022 SCC OnLine SC 1423].

In view of the aforesaid, the appeal is partly allowed. The order of the Income Tax Appellate Tribunal insofar as question (E) is concerned, shall stand set aside.

YASHWANT VARMA, J.

PURUSHAINDRA KUMAR KAURAV, J.

MAY 7, 2024/kk