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

\+ ITA 407/2022

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

Through: Mr. Aseem Chawla, Sr.SC with Ms. Pratishtha Chaudhary and Ms. Simran Jha, Adv.

versus

LOKVIR KAPOOR ..... Respondent

Through: Mr. Ajay Vohra, Sr. Adv. with Mr. Aniket D. Agrawal, Mr. Deepesh Jain and Mr. Abhisek Singhvi, Advs.

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

O R D E R

% **14.03.2024**

1. Having heard Mr. Chawla, learned counsel, who appears in support of this appeal and on going through the judgment rendered by the Income Tax Appellate Tribunal ["**ITAT**"], we fail to find any manifest error in the view so taken.

2. Having gone through the Share Purchase Agreement as well as the conclusions rendered by the ITAT, we fail to find any justification to hold that the sale of shares would not qualify as Long Term Capital Gains.

3. Consequently, the appeal fails and shall stand dismissed.

YASHWANT VARMA, J.

PURUSHAINDRA KUMAR KAURAV, J.

MARCH 14, 2024/p