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

\+ ITA 563/2024 CM APPL. 71520/2024

GEODATA ENGINEERING SPA

.....Appellant

Through: Mr Salil Aggarwal, Sr Advocate with Mr Mahir Aggarwal and Mr Madhur Aggarwal, Advocates.

versus

PR CIT INTERNATIONAL TAXATION 1

.....Respondent

Through: Mr Sunil Aggarwal, SSC, Mr Shivansh B Pandya, Mr Viplav Acharya, JSCs and Mr Utkarsh Tiwari, Advocate.

CORAM:
HON'BLE THE ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

O R D E R

% **06.12.2024**

1. Issue notice. The learned counsel for the Revenue accepts notice.

2. The appellant has filed the present appeal under Section 260A of the Income Tax Act, 1961 (hereafter *the Act*) impugning an order dated 20.06.2024 passed by the learned Income Tax Appellate Tribunal (hereafter *the ITAT*) in ITA No.8770/Del/2019.

3. The learned ITAT had remanded the matter to the Dispute Resolution Panel (DRP) for consideration afresh in the light of the facts and documents furnished by the appellant.

4. The appellant submits that there is an apparent error in the facts as recorded by the learned ITAT as the same pertain to some other matter. The learned senior counsel for the appellant also submits that the appellant

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did not seek remand of the matter to the DRP, yet the learned ITAT has passed such an order.

5. The appellant has also stated that he has filed the MISC MA No.369/Del/2024 seeking correction/recall of the order passed by the learned ITAT.

6. In view of above, we do not consider it apposite to pass any order in this appeal. However, we request the learned ITAT to consider miscellaneous application [MISC MA No.369/Del/2024] as expeditiously as possible and in case there is an error apparent in the impugned order, the learned ITAT may recall the same and hear the appellant afresh.

7. The appeal stands disposed of in the aforesaid terms. Pending application also stands disposed of.

ACTING CHIEF JUSTICE

TUSHAR RAO GEDELA, J

DECEMBER 06, 2024

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Click here to check corrigendum, if any

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