$~29 & 30

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

\+ W.P.(C) 12620/2023 & CM APPL. 49792/2023

CELESTIAL AVIATION SERVICES LIMITED (EARLIER KNOWN AS GE CAPITAL AVIATION SERVICES LIMITED (ERSTWHILE SHAREHOLDER OF CRESCENT LEASING 10 LTD.)

.....Petitioner

Through: Mr. Sachit Jolly, Senior Advocate with Mr. Devansh jain and Ms. Viyushti Rawat, Advs.

versus

ASSISTANT COMMISSIONER OF INCOME TAX, INTERNATIONAL TAXATION, CIRCLE 1(2)(1), NEW DELHI & ANR.

.....Respondent

Through: Mr. Ruchir Bhatia, SSC with Mr. Anant Mann, JSC, Mr. P. Gupta & Mr. Abhishek Anand, Adv.

(30)

\+ W.P.(C) 12637/2023 & CM APPL. 49834/2023

CELESTIAL AVIATION SERVICES LIMITED EARLIER KNOWN AS GE CAPITAL AVIATION SERVICES LIMITED ERSTWHILE SHAREHOLDER OF CRESCENT LEASING 7 LTD.

.....Petitioner

Through: Mr. Sachit Jolly, Senior Advocate with Mr. Devansh jain and Ms. Viyushti Rawat, Advs.

versus

ASSISTANT COMMISSIONER OF INCOME TAXCIRCLE 1 2 1,

INTERNATIONAL TAXATION NEW DELHI & ANR.

.....Respondents

Through: Mr. Ruchir Bhatia, SSC with Mr. Anant Mann, JSC, Mr. P. Gupta & Mr. Abhishek Anand, Adv.

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO
HON'BLE MR. JUSTICE VINOD KUMAR

O R D E R

% **03.09.2025**

1. Our attention has been drawn by Mr. Ruchir Bhatia, SSC to the E-mail dated 02.09.2025 received by him from the ACIT, Circle 1(2)(1), International Tax, Delhi which reads as under:-

> *"... In this regard, it is submitted that from the perusal of the material available on record, it is found that the proceedings u/s 148 of the Act were dropped on the grounds that the assessee company was already dissolved and not in existence. Thus, in both the cases (i.e. CRESCENT LEASING 7 LIMITED and CRESCENT LEASING 10 LIMITED) for AY 2012-13, the proceedings u/s 148 were droppted."*

2. Suffice to state, this petition (W.P.(C) 12620/2023) has been filed by the shareholder of the erstwhile company being Crescent Leasing 10 Limited. Similarly, W.P.(C) 12637/2023 has been filed by the shareholder of erstwhile company Crescent Leasing 7 Limited. In view of the contents of the E-mail received by Mr. Bhatia as the proceedings in respect of the Crescent Leasing 7 Limited and Crescent Leasing 10 Limited have been dropped for the Assessment Years (**AY**) 2012-13, for the reason that the two companies have been dissolved, the same fate must also follow in respect of these petitions.

3. Accordingly, the prayers sought in the present petitions challenging the notice dated 28.07.2022 issued under Section 148 of the Act along with Assessment Order dated 31.07.2023; passed under Section 147/144/144(C)(3); the impugned Demand Notice dated 31.07.2023 issued under Section 156 of the Act for the AY 2013-14 are liable to be set aside. We order accordingly.

V. KAMESWAR RAO, J

VINOD KUMAR, J

SEPTEMBER 3, 2025
rk