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

\+ W.P.(C) 3148/2026, CM APPL. 15120/2026 & CM APPL. 15121/2026

AECOM TECHNICAL SERVICES INC .....Petitioner

Through: Ms. Ananya Kapoor, Advocate.

versus

ASSISTANT COMMISSIONER OF INCOME TAX, CIRCLE INTERNATIONAL TAX- 1(1)(1) DELHI & ANR. .....Respondents

Through: Mr. Anurag Ojha, SSC with Mr. V.K. Saksena and Ms. Hemlata Rawat, JSCs.

CORAM:
HON'BLE MR. JUSTICE DINESH MEHTA
HON'BLE MR. JUSTICE VINOD KUMAR

<u>O R D E R</u>

% **17.03.2026**

1. By way of present writ petition, petitioner has challenged the order dated 02.03.2026 passed by respondent no.1-Office of the Assistant Commissioner of Income Tax Circle Int Tax 1(1)(1), Delhi (hereinafter referred to as 'the Competent Authority'), whereby the petitioner's application under Section 197 of the Income Tax Act, 1961 for issuance of Tax Withholding Certificate at 'Nil' rate has been rejected.

2. Ms. Ananya Kapoor, learned counsel for the petitioner, at the outset, submitted that the order impugned dated 02.03.2026 is clearly in the teeth of the order dated 20.05.2025 passed by this Court in the petitioner's case for this very financial year.

3. She further submitted that in spite of the clear adjudication and direction issued by this Court in petitioner's own case, the Competent

Authority has turned down the petitioner's request to issue Tax Withholding Certificate at 'Nil' rate. She took the Court through the relevant part of the impugned order and submitted that a binding order giving directions passed by this Court has been literally thrown to winds by the Competent Authority by simply observing that the Income Tax-Department is thinking of or is in the process of preferring an SLP.

4. While highlighting that more than eight months have passed since the date when the High Court allowed petitioner's writ petition and yet no SLP has been filed much less getting a stay, she contended that the Competent Authority could not have refused to follow the directions passed by this Court.

5. Mr. Anurag Ojha, learned Senior Standing Counsel, on the other hand tried to justify the order dated 02.03.2026 to the best of his ability but was to his wit's end. He could hardly satisfy us as to how could the Competent Authority dare defying the binding directions issued by this Court simply because the Department was in the process of deciding as to whether it should file an SLP before Hon'ble the Supreme Court or not.

6. Though there remains much to be added in the present order but we refrain from doing so and give benefit of doubt to the Competent Authority and close the chapter here itself; however, setting aside the impugned order dated 02.03.2026.

7. The Competent Authority is directed to issue a Tax Withholding Certificate at 'Nil' rate within a period of three days from today.

8. Such small window of three days is being given considering that in case the issuance of certificate takes more time, it will practically render the petitioner's case infructuous as after 31.03.2026, the Tax Withholding

Certificate, even if issued, will be of no avail to the petitioner as the financial year 2025-26 will be over.

9. The writ petition stands allowed, in the aforesaid terms. All pending applications stand disposed of.

DINESH MEHTA, J.

VINOD KUMAR, J.

MARCH 17, 2026/*nk*