

**IN THE INCOME TAX APPELLATE TRIBUNAL  
DELHI BENCH 'B', NEW DELHI**

**BEFORE SH. N. K. BILLAIYA, ACCOUNTANT MEMBER  
AND  
MS. ASTHA CHANDRA, JUDICIAL MEMBER**

ITA No.3274 & 3275/Del/2019  
Assessment Year: 2009-10 & 2010-11

<b>M/s. Sharda Ma Enterprises Private Limited 14D, Atmaram House, 1, Tolstoy Marg, Connaught Place, Delhi-110001 PAN No.AABCS2792K</b>	<b>Vs.</b>	<b>DCIT Circle-23(1) New Delhi</b>
<b>(APPELLANT)</b>		<b>(RESPONDENT)</b>

Appellant by	Sh. S.K. Giri, Advocate
Respondent by	Sh. Sh. Vivek Upadhyay, Sr. DR

Date of hearing:	02/11/2023
Date of Pronouncement:	02/11/2023

**ORDER**

**PER N. K. BILLAIYA, AM:**

ITA No.3274/Del/2019 and 3275/Del/2019 are two appeals preferred against separate orders of the CIT(A)-8, New Delhi dated 16.01.2019 and 17.01.2019 pertaining to A.Y. 2009-10 and 2010-11 by the assessee.

2. We find that vide order dated 08.04.2022 the National Company Law Tribunal, New Delhi Bench has appointed in solvency Professional Mr. Vaneet Bhatia and at para-8 of its order the Learned Tribunal directed as under:-

*“8. The moratorium is declared which shall have effect from this Order till the completion of CIRP, for the purposes referred to in section 14 of the IBC, 2016. It is ordered to prohibit all of the following, namely:-*

*a. The institution of suits or continuation of pending suits or proceedings against the respondent including execution of any judgment, decree or order in any court of law, tribunal, arbitration panel or other authority;*

*b. Transferring, encumbering, alienating or disposing of by the respondent any of its assets or any legal right or beneficial interest therein;*

*c. Any action to foreclose, recover or enforce any security interest created by the respondent in respect of its property including any action under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (54 of 2002);*

*d. The recovery of any property by an power or lessor where such property is occupied by or in the possession of the respondent.”*

3. Pursuant to the aforementioned directions both the appeals are dismissed. However, a liberty is given to the assessee to approach this Tribunal after the completion of CIRP proceedings as per the relevant provisions of the Act.

4. In the result, both the appeals are dismissed.

5. Order pronounced in the open court in the presence of both the parties on 02.11.2023.

Sd/-  
**(ASTHA CHANDRA)**  
**JUDICIAL MEMBER**

\*NEHA\*

Date:- .11.2023

Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. CIT(Appeals)
5. DR: ITAT

Sd/-  
**(N. K. BILLAIYA)**  
**ACCOUNTANT MEMBER**

ASSISTANT REGISTRAR  
ITAT NEW DELHI