

**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.3936/Del/2018
Assessment Year: 2014-15

ACIT Circle – 27 (1) NewDelhi	Vs.	Unitech Hi-Tech Developers Ltd. 6, Community Centre, Saket, New Delhi-110017 PAN No.AAACU8064B
(APPELLANT)		(RESPONDENT)

Appellant by	Sh. T. James Singson, CIT DR
Respondent by	Sh. D. C. Garg, CA

Date of hearing:	07/12/2023
Date of Pronouncement:	07/12/2023

ORDER

PER N. K. BILLAIYA, AM:

This appeal by the revenue is preferred against the order of the CIT(A)-32, New Delhi dated 01.12.2017 pertaining to A.Y.2014-15.

2. The grievance of the revenue read as under :-

i) "On the facts and in the circumstances of the case, Ld. CIT (A) has erred in deleting the addition of Rs.36,77,00,000/- on account of rejection and consequent

re- computation of estimated project cost of Project 'Burgundy'.

ii) On the facts and circumstances of the case, Ld. CIT(A) has erred in deleting the addition of Rs.2,50,58,476/- made on account of cessation of liability u/s 41(1) of the Act.

iii)The Appellant craves for reserving the right to amend, modify, alter, add or forego any of the Ground(s) of Appeal at any time before or during the hearing of this appeal.

3. At the very outset the Counsel for the assessee brought to our notice the order of the Hon'ble Supreme Court by which the Hon'ble Supreme Court issued directions for moratorium against all the proceedings against M/s. Unitech Limited and its subsidiaries. The relevant portion of the directions is as under :-

"(vii) Pending further orders of this Court, there shall be a moratorium against the institution of proceedings against Unitech Limited and its subsidiaries. The moratorium shall also extend to existing proceedings against the company as well as enforcement of orders that may have been passed against the company."

4. In view of the above this appeal of the revenue is dismissed. However, the revenue is at liberty to approach this Tribunal as

and when the final judgment of the Hon'ble Supreme Court comes and this appeal will be revived.

5. Decision announced in the open court on 07.12.2023.

Sd/-
(ASTHA CHANDRA)
JUDICIAL MEMBER

NEHA

Date:- .12.2023

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