

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

**BEFORE SHRI SAKTIJIT DEY, VICE-PRESIDENT
AND
SHRI M. BALAGANESH, ACCOUNTANT MEMBER**

S.A. Nos.319 & 320/Del/2024

[Arising out of ITA Nos.1268 & 1267/Del/2022]

Assessment Years: 2018-19 & 2017-18

Nestle India Limited, M-Block Nestle House, DLF City, Phase-2, Jacaranda Marg, Gurgaon	Vs.	ACIT, Circle-10(1), Delhi
PAN :AAACN0757G		
(Appellant)		(Respondent)

Assessee by	Sh. Neeraj Jain, Advocate
Respondent by	Sh. Kanv Bali, Sr. Dr

Date of hearing	30.08.2024
Date of pronouncement	30.08.2024

ORDER

Captioned applications have been filed by the assessee seeking extension of stay on recovery of outstanding demands pertaining to assessment years 2018-19 and 2017-18.

2. We have heard the parties and perused the materials on record.

3. It is observed, while considering the initial stay applications filed by the assessee, the Tribunal vide order dated 12.07.2022

passed in SA No.157 & 156/Del/2022 had granted conditional stay, subject to deposit of an amount of Rs.14 crores for assessment year 2018-19 and Rs.15 crores for assessment year 2017-18 on or before 31.08.2022 and to furnish the financial security of equal amount to the satisfaction of the AO, which has been complied with by the assessee. Subsequently, the stay has been extended from time to time and the last order extending the stay was passed on 01.03.2024.

4. We have further observed that, though, the appeal came up for hearing on various occasions, however, the hearing could not proceed due to repeated adjournment being sought by the Revenue. We are informed, now the appeal is fixed for hearing on 5th December, 2024. Since, there is no material change in the facts and circumstances, based on which, stay was earlier granted to the assessee, we are inclined to extend the stay for a further period of 180 days from the date of this order or till the disposal of the corresponding appeals, whichever is earlier.

4. In the result, stay applications are allowed.

Order pronounced in the open court on 30th August, 2024

**Sd/-
(M. BALAGANESH)
ACCOUNTANT MEMBER**

**Sd/-
(SAKTIJIT DEY)
VICE-PRESIDENT**

Dated: 30th August, 2024.

RK/-

Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. CIT(A)
5. DR

Asst. Registrar, ITAT, New Delhi