

IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI FRIDAY BENCH 'C' : NEW DELHI

BEFORE SHRI MAHAVIR SINGH, VICE PRESIDENT AND
SHRI AMITABH SHUKLA, ACCOUNTANT MEMBER

Stay Application Nos.52/Del/2026
(In ITA No.7199/Del/2025)
Assessment Year : 2022-23

M/s OK Play India Limited,
Plot No.17-18, Roz-Ka-Meo
Industrial Estate, Tehsil-Nuh,
District Mewat, Mewat,
Haryana – 122 103.
PAN : AAACO2623G.

Vs. Deputy Commissioner of
Income Tax,
Circle-3(1),
Gurgaon.

(Appellant)

(Respondent)

Appellant by : Shri Lalit Mohan, CA.
Respondent by : Shri Manish Gupta, Senior DR.

Date of hearing : 06.02.2026
Date of pronouncement : 06.02.2026

ORDER

PER MAHAVIR SINGH, VP

By way of this stay application, the applicant has requested for stay of balance outstanding demand of ₹48,94,990/-.

2. At the outset, learned Counsel for the assessee pointed out that the total demand was ₹91,85,780/-, out of which, the Revenue has adjusted refund receivable from assessment year 2024-25 vide intimation issued under Section 143(1) dated 5th March, 2025 amounting to ₹43,40,790/- and the balance demand outstanding is ₹48,44,990/-. The learned Counsel also pointed out that the Assessing Officer has made ad-hoc disallowance at 30% of the expenses without rejecting the books of account. Hence, he requested that the assessee has a very good case on merits and, in case assessee's appeal is heard

at an early date, he is ready to explain. When these facts were confronted to the learned Senior DR, he could not controvert the facts of the case.

3. Having heard the rival contentions and going through the facts of the case, we noted that assessee has paid almost 40% of the outstanding demand and it has a prima-facie case in its favour. In terms of the above, we grant the stay and fix this appeal for hearing on 5th March, 2026. We direct that no steps will be taken by the Department to recover the outstanding demand till the disposal of the appeal or 180 days, whichever is earlier.

4. In the result, the stay application of the assessee is allowed in terms of the above.

Decision pronounced in the open Court on conclusion of hearing on 6th February, 2026.

Sd/-

(AMITABH SHUKLA)
ACCOUNTANT MEMBER

Sd/-

(MAHAVIR SINGH)
VICE PRESIDENT

VK.

Copy forwarded to: -

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

Assistant Registrar