

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

**BEFORE,
SHRI S.RIFAUR RAHMAN, ACCOUNTANT MEMBER
AND
SHRI ANUBHAV SHARMA, JUDICIAL MEMBER**

**S.A. Nos.66/Del/2026
Arising out of ITA No.3668/Del/2024
(ASSESSMENT YEAR: 2020-21)**

Canon India Pvt. Ltd 7 th Floor, Building No. 5, Tower B, DLF Cyber City, DLF Phase III, Gurugram Haryana – 122002 PAN- AAACC4175D	Vs.	DCIT, Circle 4(2) Delhi
(Appellant)		(Respondent)

**S.A. No.67/Del/2026
Arising out of ITA No.4901/Del/2024
(ASSESSMENT YEAR: 2021-22)**

Canon India Pvt. Ltd 7 th Floor, Building No. 5, Tower B, DLF Cyber City, DLF Phase III, Gurugram Haryana – 122002 PAN- AAACC4175D	Vs.	Assessment Unit/Verification Unit/ Technical Unit/Review Unit, Income Tax department, NFAC, Delhi
(Appellant)		(Respondent)

S.A. No.68/Del/2026
Arising out of ITA No.485/Del/2022
(ASSESSMENT YEAR: 2013-14)

Canon India Pvt. Ltd 7 th Floor, Building No. 5, Tower B, DLF Cyber City, DLF Phase III, Gurugram Haryana – 122002 PAN- AAACC4175D	Vs.	DCIT, Circle 4(2) (Additional/Joint, Deputy/Assistant Commissioner of Income Tax/Income- tax Officer, NFAC, Delhi
(Appellant)		(Respondent)

Assessee by	Sh. Himanshu S. Sinha, Adv. Sh. Prashant Meharchandani, Adv. Sh. Jainender Singh, Kataria, Adv.
Department by	Ms. Harpreet Kaur Hansra, Sr. DR

Date of Hearing	13.02.2026
Date of Pronouncement	13.02.2026

ORDER

PER S.RIFAUR RAHMAN, AM:

These three stay applications filed by the assessee for Assessment Years 2013-14, 2020-21 and 2021-22. The position of the demand outstanding in all these assessment years as per the Stay Petition is tabulated as under:

Sr. No.	Asst. Years	Total Demand	Outstanding Demand
1	2013-14	Rs.18,38,23,219/-	Rs.18,89,31,450/-
2.	2020-21	Rs.47,04,18,185/-	Rs.10,59,81,100/-
3.	2021-22	Rs.59,44,25,329/-	Rs.23,14,95,790/-

2. It is submitted by the Ld. AR that in all these years the major issue involved is Transfer Price Adjustment on account of Advertisement Marketing & Promotions (AMP) Expenses as international transactions. It was submitted that in the case of assessee itself on this very same issue, in first round of appeal, the Hon'ble Jurisdictional High Court in course of appeals has set aside the issue to the Tribunal vide its order dated 16/03/2015. Against such order, the assessee has filed SLP before the Hon'ble Supreme Court on 1st July, 2015 in Diary No.20560/15 which is admitted and is pending despite of repeated listing. Since, the issue is subjudice before the Hon'ble Supreme Court, the Tribunal in all these years has adjourned the appeals till the orders of Hon'ble Supreme Court which has direct bearing on the issue in hand before the Tribunal. Under these circumstances, we are of the view that the demand outstanding being substantially related to issue which is pending before the Hon'ble Supreme Court and assessee in all the three assessment years has paid substantial amount out of

total demand created, therefore, in all assessment years i.e. in AYs: 2013-14, 2020-21 and AY 2021-22, the total outstanding demand as tabulated above is stayed for a period of 180 days. The assessee is at liberty to apply afresh for stay in case the appeal in all the three assessment years involved is not decided within the period of 180 days. Accordingly, the Stay Petitions of the assessee are allowed.

3. In the result, the All Stay Applications filed by the assessee are allowed as per directions given herein above.

Order pronounced in the open court on 13.02.2026

Sd/-
(Anubhav Sharma)
JUDICIAL MEMBER

Sd/-
(S Rifaur Rahman)
ACCOUNTANT MEMBER

Dated 13.02.2026
Rohit, Sr. PS

Copy forwarded to:

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

ASSISTANT REGISTRAR
ITAT NEW DELHI