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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ ITA No.785/2017

PRINCIPAL COMMISSIONER OF INCOME TAX-9,..... Appellant

Through: Mr.Zoheb Hossain, Sr. St. Counsel

versus

M/S VODAFONE ESSAR GUJARAT LIMITED ..... Respondent

Through: Mr.Sachit Jolly with Mr.Siddhath Joshi, Advs.

CORAM:
HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

O R D E R

% 03.12.2018

Learned counsel for the respondent-assessee has relied upon the order dated 09th January, 2009 passed by the Income Tax Appellate Tribunal, in the first round of litigation. He accepts that interest earned was treated as income from other sources by the Tribunal. However, Tribunal had remanded the issue whether the interest paid should be set-off under Section 57 of the Income Tax Act, 1961. The Assessing Officer has proceeded ignoring the limited remand.

Learned counsel for the Revenue prays for some time to examine this issue and content.

Re-list on 18th February, 2019.

SANJIV KHANNA, J.

ANUP JAIRAM BHAMBHANI, J.

DECEMBER 03, 2018/neelam