

**SECTION III-A
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

**PETITION FOR SPECIAL LEAVE TO APPEAL (C) NOS. 14002, 14003, 14004 AND
34886 OF 2013**

**WITH
INTERLOCUOTY APPLICATION NO. 1**

(Application for condonation of delay in filing Special Leave Petition in SLP No. 34886/13)

THE COMMISSIONER OF INCOME TAX, CHENNAI **....PETITIONER**
VERSUS

M/S ELGI ULTRA INDUSTRIES LTD. **...RESPONDENT**

OFFICE REPORT

SLP (C) NOS. 14002 TO 14004 OF 2013

The matters above-mentioned were listed before the Hon'ble Court on 5th April, 2013, when the Hon'ble Court was pleased to pass the following order: -

**"Delay condoned.
Issue notice returnable in ten weeks' time.
Dasti in addition to the ordinary process."**

Accordingly, usual notice as well as dasti notice was issued to the sole common respondent. M/s. K. J. John and Co., Advocate has filed Vakalatnama and memo of appearance on behalf of the sole respondent and counter affidavit. Copies of the same has been included in the paper books.

SLP (C) NOS. 34886 OF 2013

The matter above-mentioned was listed before the Hon'ble Court on 1st November, 2013, when the Hon'ble Court was pleased to pass the following order: -

**"Issue notice on the application for condonation of
delay as well as on the special leave petition.
Connect with S.L.P. (C) No. 14003 of 2013."**

Accordingly, notice was issued to the sole respondent. M/s. K. J. John and Co., Advocate has filed Vakalatnama and memo of appearance on behalf of the sole respondent but counter affidavit not filed.

Thereafter, the matters above-mentioned were listed before the Ld. Registrar's Court on 19th August, 2014, when the following order was passed: -

"SLP(C) Nos. 14002, 14003 and 14004/2013

The matter has already been directed to be listed before the Hon'ble Court.

SLP(C) No. 34886/2013

What gets revealed from the perusal of the Office Report is that although by Order dated 28.4.2014 the learned counsel for the respondent was given four weeks time as last chance to file the counter affidavit, yet he has not done the needful so far. Therefore no further opportunity is warranted to be given to him on that count taking into consideration the rule position. Viewed, in that context, the matter shall be processed for listing before the Hon'ble Court, under the rules.

The matters above-mentioned are listed before the Hon'ble Court with this office report.

DATED THIS THE 17TH DAY OF SEPTEMBER, 2014.

ASSISTANT REGISTRAR