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SLP(C)No. 3678 OF 2003

ITEM No.34&38

Court No. 8

SECTION IIIA
A/N MATTER

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.3678/2003

(From the judgement and order dated 11/09/2001 in ITR 286/87
of The HIGH COURT OF GUJARAT AT AHMEDABAD)

COMMNR. OF INCOME TAX, AHMEDABAD

Petitioner (s)

VERSUS

ARVIND MILLS LTD.

Respondent (s)

(With prayer for interim relief)
(With Appln(s). for c/delay in filing SLP)
(With office report)
With

SLP(C)No.3677/2003

Date : 25/04/2003 These Petitions were called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE RUMA PAL
HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Petitioner (s) Mr. Mukul Rohtagi,ASG.
Mr.RanbirChandra,Adv.
Mr. B.V. Balaram Das,Adv.

For Respondent (s) Mr. P.H.Parekh,Adv.
Mr.Amit Dhingra,Adv.

UPON hearing counsel the Court made the following
O R D E R

.....L.....I.....T.....T.....T.....T.....T.J
.SP2

Delay condoned.
Leave granted.
The appeals are dismissed. No costs.

.SP1

(Suman Wadhwa) (Madhu Saxena)
Court Master Court Master

Signed order is placed on the file.

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.PL55

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2003@@

CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC
(Arising out of SLP(C)No. 3678/2003)

Commnr. of Income Tax, Ahmedabad ...Appellant

Vs.

Arvind Mills Ltd. ...Respondent

WITH

CIVIL APPEAL NO. OF 2003@@
CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC
(Arising out of SLP(C)No. 3677/2003)

ORDER@@
CCCCC

.SP2
.....L.....I.....T.....T.....T.....T.....T.J
Delay condoned.
Leave granted.

Learned Additional Solicitor General appearing on behalf of the appellants confirms that the decision of the Kerala High Court in Commissioner of Income Tax vs. M/s.@@
A.V.Thomas & Co.Ltd. (225 ITR 229) has indeed been@@
affirmed by this Court in CIT Trivendrum, Kerala vs. M/s.@@
A.V.Thomas & Co.Ltd. (CA No. 4605 of 1998) wherein by@@
order dated 2.4.2002 this Court said:

.....L.....I.....T.....T.....TJ.
.SP1

"We have heard learned counsel for the Revenue. We do not think that any interference is required with the judgment under appeal. The Civil Appeal is dismissed.
No order as to costs."

.....L.....I.....T.....T.....T.....T.....T.J
.SP2

In view of the order of this Court, referred to above, these appeals are also dismissed. No costs.

It is stated by learned ASG appearing on behalf of the appellants that he wishes to apply for review of the order of this Court dated 2.4.2002. The statement is recorded.

.SP1
.....J.
(RUMA PAL)

.....J.
(B.N.SRIKRISHNA)

New Delhi;
April 25,2003.