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ITEM NO.11

COURT NO.1

SECTION IIIA

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

CIVIL APPEAL NO.858 OF 2007

COMMNR. OF INCOME TAX, CENTRAL KANPUR

Appellant (s)

VERSUS

RADHA KISHAN CHARITABLE TRUST, KANPUR

Respondent(s)

With Civil Appeal No.859 of 2007

Date: 13/09/2012 These Appeals were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE MADAN B. LOKUR

For Appellant(s) Mr. Rajiv Dutta, Sr. Adv.

Mr. Rahul Kaushik, Adv.

Ms. Rajni Ohri Lal, Adv.

Ms. Anil Katiyar, Adv.

for Mr. B.V. Balaram Das, Adv.

For Respondent(s) Mr. Bhargava V. Desai, Adv.

Mr. Shreyas Mehrotra, Adv.

Ms. Pooja Bahuguna, Adv.

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

Heard learned counsel on both sides.

Keeping the question of law open, the civil appeals filed
by the Department are dismissed.

No order as to costs.

[T.I. Rajput]
A.R.-cum-P.S.

[Indu Satija]
Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

Commissioner of Income Tax, Central Kanpur ...Appellant(s)

Versus

Radha Kishan Charitable Trust, Kanpur ...Respondent(s)

With Civil Appeal No.859 of 2007

O R D E R

Heard learned counsel on both sides.

In the peculiar facts and circumstances of this case, including the fact that the assessment year in question is from 1973-1974 upto 1978-1979, we do not see any reason to interfere with the impugned orders.

Keeping the question of law open, the civil appeals filed by the Department are dismissed.

No order as to costs.

.....CJI.
[S.H. KAPADIA]

.....J.
[MADAN B. LOKUR]

New Delhi,
September 13, 2012.
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