

d
ITEM NO.6

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 NOS.2737-2747 OF 2005

M/S. KALLADA WINES AND ORS.

Appellant (s)

VERSUS

COMMNR. INCOME TAX, KOCHI

Respondent(s)

(With office report)

Date: 04/09/2012 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. Subramonium Prasad,Adv. (N/P)

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

Mr. Arijit Prasad,Adv.

Mr. V.K. Biju,Adv.

Ms. Anil Katiyar,Adv.

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

Heard learned counsel on both sides.

The civil appeals are disposed of.

No order as to costs.

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

[Indu Satija]
Court Master

N.B.: The lady advocate, who appeared, did not
give her appearance for the appellant,
despite request.

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.2737-2747 OF 2005

M/s. Kallada Wines and Ors.

...Appellant(s)

Versus

Commissioner of Income Tax, Kochi

...Respondent(s)

O R D E R

Heard learned counsel on both sides.

These civil appeals concern Block Period commencing from 1st April, 1986, to 12th December, 1996.

In these appeals, we are concerned with computation of interest under Section 220(2) of the Income Tax Act, 1961 ['Act', for short]. During the pendency of these appeals, this Court pronounced the judgement in the case of Brij Lal and Ors. vs. Commissioner of Income-Tax, reported in [2010] 328 I.T.R. 477.

Learned counsel on both sides state that the issue involved in these appeals is covered by the judgement of this Court in Brij Lal [supra]. However, for its application, the matter needs to be remitted to the Assessing Officer, who is directed to compute the interest liability of the assessee under Section 220(2) of the Act, in the light of Brij Lal [supra].

Accordingly, the civil appeals filed by the Department are disposed of.

No order as to costs.

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

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

New Delhi,
September 04, 2012.
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