

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

RECORD OF PROCEEDINGS

IA 6/2005 in Petition(s) for Special Leave to Appeal(C) No(s).8572/2005
(From the judgment and order dated 03/12/2004 in CMWP No. 709/2001 of The
HIGH COURT OF JUDICATURE AT ALLAHABAD)

LALIT KUMAR AGRAWAL AND ORS.

Petitioner(s)

VERSUS

INCOME TAX OFFICER & ANR.

Respondent(s)

(For recalling the court's order)

Date: 24/04/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE P.K. BALASUBRAMANYAN

For Petitioner(s)

Mr.Rajiv Tyagi, Adv.

Dr. Rakesh Gupta, Adv.

Mr. S.R. Setia,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

It is stated by the learned counsel that the special leave petition has wrongly been

withdrawn along with the other two special leave petitions. However, no reason has been assigned as to

why the learned counsel appearing on 11.4.2005 did not point out the same to the Court. In any event

merely notice under Section 148 of the Income Tax Act has been issued and as and

when an order is

ultimately passed against the petitioners, they can raise the jurisdictional question and furthermore

such a condition can also be raised before the appropriate authority, we are of the opinion that it is not

necessary for this Court to recall the order dated 11.4.2005.

I.A. is rejected accordingly.

(Meenu Sethi)

(Pushap Lata Bhardw

aj)

Court Master

Court Master