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IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

SECTION III-A

CIVIL APPEAL NO. 7615 OF 2009 AND 2414 OF 2010

COMMISSIONER OF INCOME TAX
VERSUS
GUJARAT GUARDIAN LTD.

....APPELLANT

...RESPONDENT

OFFICE REPORT FOR DIRECTIONS

The Office report on default was listed before the Hon'ble Judge-In-Chambers on 15th April, 2013, when His Lordship was pleased to pass the following order:

“On 19.11.2012, four weeks' time was granted to counsel for the respondents to file Statement of Case. However, so far no action has been taken. Today, also there is no representation on behalf of the respondents. Registry is directed to proceed as per Supreme Court Rules, 1966.”

It is submitted that pursuant to the Order quoted above, Ms. Kavita Jha, Advocate for the respondent has not filed Statement of Case in terms of Order XV, Rule 35 (2) of Supreme Court Rules, 1966, which reads as under:

“35(2) No party to an appeal shall be entitled to be heard by the Court unless the party has previously lodged statement of case in the appeal: Provided that where a respondent has entered appearance, does not desire to lodge a statement of case in appeal, he may give the Registrar of the Court, notice in writing of his intention not to lodge any case while reserving his right to address the Court on the question of costs only.”

It is further submitted that Mr. B.V. Balram Das, Advocate has already on 14th December, 2009 in Civil Appeal No. 7615 of 2009 and on 23rd December, 2010 in Civil Appeal No. 2414 of 2010 filed Statement of Case on behalf of the appellant.

Service is complete.

Original Record is available for the reference of the Hon'ble Court.

The Office Report for Directions is listed before the Hon'ble Court for orders.

DATED THIS THE 11TH DAY OF JUNE, 2013.

ASSISTANT REGISTRAR