FITEM NO.37 COURT NO.10 SECTION IIIA

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil)...../2006
CC 3011/2006
(From the judgement and order dated 14/07/2005 in WTR No. 144/1990
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

COMMISSIONER OF WEALTH TAX, KANPUR Petitioner(s)
VERSUS
M/S. J.K. CHARITABLE TRUST Respondent(s)

(With appln. for c/delay in filing SLP)

WITH S.L.P.(C)...CC NO. 5562 of 2006
(With appln.for c/delay in filing SLP and office report)

Date: 24/08/2007 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE C.K. THAKKER
HON'BLE MR. JUSTICE MARKANDEY KATJU

For Petitioner(s) Mr. Mohan Parasaran, ASG
Mr. D.K. Singh, Adv.
Mr. Pradeep Shukla, Adv.
Mr. B.V. Balaram Das,Adv.

For Respondent(s) Mr. Sidharth Chowdhury, Adv.
Mr. Rahul Gupta, Adv.
Ms. Reema Sharma, Adv.
Mr. Bhargava V. Desai,Adv.

UPON hearing counsel the Court made the following
ORDER
In SLP(C)...../2006 (CC.No.3011/2006) notice was issued only on the question of delay. We have heard learned counsel for the parties. On the facts and in the circumstances of the case, it cannot be said that there is inaction, negligence or want of bonafides on the part of the petitioner. Therefore, the delay of 111 days is condoned and notice is issued.

In SLP(C)...../2006 (CC.5562/2006) there is a delay of 160 days in filing SLP. We have heard learned counsel for both sides. On the facts and in the circumstances of the case, it cannot be said that there is inaction, negligence or want of bonafides on the part of the

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petitioner. Therefore, the delay of 160 days is condoned. Issue notice on the special leave petition .

Mr. Sidharth Chowdhury advocate appears and waives notice.

Counter affidavit be filed within a period of four weeks and rejoinder, if any, within two weeks thereafter.

[Usha Bhardwaj]
Court Master

[Vinod Kulvi]
Court Master