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ITEM NO.9

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

Petition(s) for Special Leave to Appeal (Civil) No(s).18574/2011

(From the judgement and order dated 12/10/2010 in CWP No.3241/1999 of The  
HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

PUNJAB STATE COOP SUP.& MARKET.FED.&ANR

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With prayer for interim relief and office report)

With S.L.P. (C) Nos.34841-34842 of 2011

(With prayer for interim relief and office report)

Date: 03/09/2012 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE A.K. PATNAIK

For Petitioner(s) Mr. Shyam Divan,Sr.Adv.

Mr. Goyal,Adv.

Ms. Kavita Wadia,Adv.

For Respondent(s) Mr. Gourab Banerji,ASG.

Ms. Rachana Srivastava,Adv.

Mr. Sahil Tagotra,Adv.

Mr. Utkarsh Sharma,Adv.

Ms. Anil Katiyar,Adv.

UPON hearing counsel the Court made the following

O R D E R

The point for consideration in these special leave petitions is, whether the Orders of the Income Tax Appellate Tribunal dated 23rd September, 1998, and 22nd July, 1998, could be rectified in view of the retrospective amendment by

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the Income Tax (Second Amendment) Act, 1998, with effect from 1st April, 1968. In our view, the above question is a substantial question of law, which is likely to recur in number of cases in near future. Hence, leave granted.

We, however, make it clear that leave is not being granted on the issue of Constitutional validity of the said amendment.

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

[ Indu Satija ]  
Court Master

