

Listed On : 22-8-2014  
Before Court No. 1  
Item No. 45

**SECTION IIIA  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION**

**PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS. 14480 OF 2013 AND  
35772 OF 2013**

**WITH  
PRAYER FOR INTERIM RELIEF**

**WITH  
INTERLOCUTORY APPLICATION NO.**  
(Application for cancellation of date)

**THE COMMISSIONER OF INCOME TAX - 7** **...PETITIONER**

**VERSUS**

**M/S RELIANCE COMMUNICATIONS  
INFRASTRUCTURE LTD.** **...RESPONDENT**

**OFFICE REPORT**

**SLP(C) No. 14480 of 2013**

The matters above mentioned were listed before the Hon'ble Court on 26<sup>th</sup> April, 2013, when the Court was pleased to pass the following order:

**"Issue notice returnable in ten weeks.  
Mr. Pawanshree Agrawal, advocate, appears for Mr.  
Sunil K. Jain, advocate-on-record for the  
respondent, and waives service for the respondent."**

Accordingly, notice to the Sole Respondent was issued through Mr. Sunil Kr. Jain, Advocate but Mr. E.C Agrawala, Advocate has filed Vakalatnama and affidavit in Reply on the behalf of Sole Respondent. The same is included in the paper books.

Service is complete.

**SLP(C) No. 35772 of 2013**

The matter above mentioned was listed before the Court on 19<sup>th</sup> November, 2013, when the Court was pleased to pass the following order:

**"Delay condoned.  
Issue notice returnable in ten weeks.  
Dasti, in addition to the ordinary process, is  
permitted.  
Connect with S.L.P. (Civil) No. 14480 of 2013."**

: 2 :

Accordingly, show cause notice as well as Dasti Notice to the Sole Respondent through Registered Post. Mr. E.C Agrawala, Advocate has filed Vakalatnama and affidavit in Reply on the behalf of Sole Respondent. The same is included in the paper books.

Service is complete.

The matters above-mentioned were from time to time listed before the Ld. Registrar's Court and lastly listed on 28<sup>th</sup> March, 2014 when the following Order was passed :

“SLP(C)No. 14480/2013

The matter has already been directed to be listed before the Hon'ble Court for being a complete one.

The learned counsel for the petitioner and the learned counsel for the respondent are present.

SLP(C)No. 35772/2013

What gets revealed from the perusal of the Office Report is that although the respondent has already been given two opportunities for filing the counter affidavit yet he has not done the needful so far. The learned counsel for the respondent seeks further time to file the counter affidavit. However, his request is not in conformity with the rule position where only two opportunities can be provided by the Registrar for filing the counter affidavit. Therefore, the matter shall be processed for listing before the Hon'ble Court on its own turn.”

:3:

It is submitted that Mr. E.C. Agrawala, Counsel for the petitioner has on 14<sup>th</sup> August, 2014 filed application for cancellation of Date on behalf of respondent. Copy of the same is being circulated before the Hon'ble court.

The matters above-mentioned are listed before the Hon'ble Court with this office report.

DATED THIS THE 19<sup>th</sup> DAY OF AUGUST, 2014.

**ASSISTANT REGISTRAR**

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