

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

Item No.7

Petition(s) for Special Leave to Appeal (Civil) No(s).19636/2008

(From the judgement and order dated 14/08/2007 in ITA No.394/2005 of the HIGH COURT OF BOMBAY)

C.I.T., Petitioner(s)

VERSUS

VASANTDADA SAHAKARI SAKHAR KARKHANA LTD. Respondent(s)

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

WITH S.L.P.(C) NO. 8160 of 2009

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

(FOR FINAL DISPOSAL)

AND ITEM NO.19

S.L.P.(C) No.11930 of 2008

(With appln(s) for c/delay in filing SLP, permission to file additional documents and permission to accept dim impression of additional documents)(For final disposal)

S.L.P.(C) Nos.28203, 28206, 28208, 28220, 22114, 28523, 28524, 27929 of 2008, 4764, 4751, 6427, 7495, 8337, 7501, 8125, 8127, 8131, 8132, 8130, 7489, 9132, 15947, 15638, 15898, 18044, 18753, 17420, 18752, 18022, 18524, 18006, 19831, 20176, 2624, 1486, 5172, 20384-20385, 2619, 1318, 24014-24015, 2862 & 2861 of 2009

(With appln. for c/delay in filing/refiling SLP and office report)
(For final disposal)

S.L.P.(C) Nos.8895, 7757, 9280, 9281, 9285, 9286, 9287, 9284, 12122, 13047, 13049, 13048, 9275, 12132, 12127, 15996, 15634, 7816, 17813, 18430, 19662, 19663, 19830, 19415, 20387-20397, 21776 of 2009

(With office report)(For final disposal)

S.L.P.(C) No.2860 of 2009

(With appln. for c/delay in filing SLP and intervention and office report)

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Date: 22/10/2009 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE AFTAB ALAM

For Petitioner(s)	Mr. Vivek Tankha, ASG.
	Mr. H. Raghavendra Rao, Adv.
	Mr. Arijit Prasad, Adv.
	Mr. Varun Sarin, Adv.
	Mr. Rahul Kaushik, Adv.
	Mr. B.V. Balaram Das, Adv.

For Respondent(s)	Mr. Chinmoy Khaladkar, Adv.
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Mr. Vimal S. Dave, Adv.

Ms. Aruna Gupta, Adv.

Mr. Uday B.Dube, Adv.

Mr. Kuldip Singh, Adv.

UPON hearing counsel the Court made the following
O R D E R

The question involved in this group of Special Leave Petitions concerns interpretation of Section 40A(2) of the Income Tax Act, 1961. The key issue involved is whether the said section is applicable to Cooperative Societies. We are informed that by the Court Master in all approximately 75 cases are pending in this Court on the above issue. We are not able to take up these matters today as the composition of the Bench is likely to change in the ensuing week. The matters listed today are heavy matters likely to spill over.

In the circumstances, the entire group stands adjourned to 25th November, 2009.

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List all the matters together showing S.L.P.(C)

Nos.11930/2008, 9280/2009 and 2862/2009 as main matters.

Registry is directed to incorporate our order in the Weekly List/Advance List stating that the matters concerning the scope and applicability of Section 40A(2) will come up for final hearing on 25th November, 2009.

Since all connected matters require to be clubbed, the concerned Advocates-on-Record may file an appropriate precipe and on filing of such precipe, the matters will be listed on 25th November, 2009.

Office is also directed to ensure that the original record in the lead matter is available in the Court on the next date of hearing.

(N. ANNAPURNA)
COURT MASTER

(MADHU SAXENA)
COURT MASTER