ITEM NO.102 COURT NO.5 SECTION IIIA

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

CIVIL APPEAL NO(s). 2388 OF 2003

DY. COMMNR. OF INCOME TAX, AHMEDABAD Appellant (s)

VERSUS

M/S. ASPIAT TEXTILE MILLS Respondent(s)

(With office report)

Date: 22/04/2010 This Appeal was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE T.S. THAKUR

For Appellant(s) Mr. R. P. Bhat, Sr. Adv.
Mr. H. R. Rao, Adv.
Mr. Arijit Prasad, Adv.
Mr. B.V. Balaram Das,Adv.

For Respondent(s) Mr. Sunil Gupta, Sr. Adv.
Mr. Jatin Zaveri,Adv.

UPON hearing counsel the Court made the following
O R D E R
Application for discharge of Advocate is

dismissed as infructuous.

The Civil Appeal is dismissed in terms of

the signed order.

(Neetu Sachdeva) (Pushap Lata Bhardwaj)
Sr. P. A. Assistant Registrar

(signed order is placed on the file)
IN THE SURPEME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.2388 OF 2003

DY. COMMNR. OF INCOME TAX, AHMEDABAD Appellant (s)

VERSUS

M/S. ASPIAT TEXTILE MILLS Respondent(s)

O R D E R

Since, admittedly the Special Leave Petition (CC 1058/2001), arising out of TA No.366/99 pertaining to the immediately preceding Assessment Year i.e. 1989-90 stands dismissed, no ground is made out for taking a different view, on the same issue, in respect of the immediately succeeding Assessment Year i.e. 1990-91.

More so, when in the impugned order the High Court has relied on its aforenoted order in Tax Appeal No.366/99.

Accordingly, the appeal is dismissed, keeping open the question of law, sought to be raised by the revenue. No costs.

.....J.
(D. K. JAIN)

NEW DELHI
APRIL 22, 2010

.....J.
(T. S. THAKUR)