

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) Nos.27227-27228/2010

(From the judgement and order dated 29/01/2010 in APO No.150/2009 and ACO No.102/2009 of The HIGH COURT OF CALCUTTA)

O.P.TANTIA & ORS.

Petitioner(s)

V E R S U S

ARUN KUMAR TANTIA & ORS.

Respondent(s)

(With appln(s) for permission to file additional documents, permission to place on record the affidavit and permission to place on record subsequent facts and record)

Date: 07/01/2011 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE K.S. PANICKER RADHAKRISHNAN
HON'BLE MR. JUSTICE SWATANTER KUMAR

For Petitioner(s)	Mr. Shyam Divan, Sr. Adv. Mr. Suman Jyoti Khaitan, Adv. Mr. Sumit Attri, Adv. Mr. Rishi Maheshwari, Adv.
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For Respondent(s)	Mr. Sidharth Yadav, Adv. Mr. Rana S. Biswas, Adv. Mr. Mridul Chakravarty, Adv. Mr. Hemant Singh, Adv. Mr. Anurag Sharma, Adv. Mr. Sunil Sharma, Adv. Ms. Sharmila Upadhyay, Adv.
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UPON hearing counsel the Court made the following
O R D E R

Permission to file additional documents, affidavit and to place subsequent facts and record is granted.

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In this case, on inquiry, we find that on account of disputes between two groups of shareholders there is no completion of accounts, Balance Sheets and Profit and Loss Account from 2005. Prima facie there appears to be non-compliance of provisions of Income Tax Act, 1961 and Companies Act, 1956. We want the status report from the concerned Commissioner of Income Tax as also from the ROC in this regard.

Office to issue notice to Chief Commissioner of Income Tax and ROC. We are directing both the parties to give us the particulars stating Circle number under which they are being assessed and the address of the ROC in whose jurisdiction the Company-M/s. BESCO Limited falls. Information to be given within 48 hours, failing which special leave petition be listed for Directions at earliest on miscellaneous date.

The special leave petitions shall stand
over for four weeks.

Dasti service, in addition, is permitted.

[Alka Dudeja]
A.R.-cum-P.S.

[Madhu Saxena]
Assistant Registrar