

Listed on : 7.11.2016
Court No. : 6
Item No. : 36

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

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO...CC 20446 OF 2016

WITH

INTERLOCUTORY APPLICATION NO. 1

(Application for Condonation of Delay in filing Special Leave Petition)

AND

INTERLOCUTORY APPLICATION NO. 2

(Application for Condonation of Delay in re-filing special Leave Petition)

COMMISSIONER OF INCOME TAX

...PETITIONER

VERSUS

M/S ALCATEL LUCENT FRANCE

...RESPONDENT

OFFICE REPORT

It is submitted for information of the Hon'ble Court that the Special Leave Petition above-mentioned is filed against the impugned Judgment and final Order dated 27th February, 2015 of the High Court of Delhi at New Delhi in I.T.A No. 151 of 2015 and is barred by time by 471 days. Counsel for the Petitioner has filed Application for Condonation of Delay in filing Special Leave Petition. Counsel for the Petitioner has also filed Application for Condonation of Delay in re-filing the Special Leave Petition after curing the defects which is barred by time by 11 days.

It is further submitted for information of the Hon'ble Court that SLP (C) No. 30850 of 2016 @ SLP (C) No...CC 19199 of 2016 entitled "COMMISSIONER OF INCOME TAX , INTERNATIONAL TAXATION-I vs M/S. ALCATEL LUCENT ENTERPRISES" arising from common order which was listed before the Hon'ble Court on 19th October, 2016, when the Hon'ble Court has directed to issue notice. (Copy of order dated 19th October, 2016 is enclosed herewith for reference).

It is also submitted for information of the Hon'ble Court that Civil Appeal No. 8887 of 2016 @ SLP (C) No. 26740 of 2016 @ SLP (C) No...CC 16305 of 2016 entitled "COMMISSIONER OF INCOME TAX-1 NEW DELHI vs M/S ALCATEL LUCENT SHANGAI BELL." arising from common order which was listed before the Hon'ble Court on 9th September, 2016, when the Hon'ble Court has granted leave. (Copy of order dated 9th September, 2016 is enclosed herewith for reference).

It is also submitted for information of the Hon'ble Court that SLP (C) No...CC 16518 of 2016 entitled "COMMISSIONER OF INCOME TAX vs ALCATEL LUCENT FRANCE USA INC." arising from common order is pending and yet to be listed before the Hon'ble Court.

It is further submitted for information of the Hon'ble Court that Counsel for the Petitioner has filed a letter dated 19th October, 2016 stating therein they relied upon Judgment i.e. Director of Income Tax Vs. Ericsson A.B. is not necessary for preliminary hearing and will be produced at the time of hearing. Copy of letter dated 19th October, 2016 is annexed at page no. 756 of the Paper Books.

The matter alongwith Applications above mentioned is listed before Hon'ble Court with this Office Report.

DATED THIS THE 28TH DAY OF OCTOBER, 2016.

ASSISTANT REGISTRAR

Copy To:-

Mrs. Anil Katiyar, Advocate.

ASSISTANT REGISTRAR