

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

Petition(s) for Special Leave to Appeal (Civil)...../2010
(CC 8365/2010)
(From the judgement and order dated 23/07/2009 in ITA No.1041/2008
of The HIGH COURT OF BOMBAY)

COMMISSIONER OF INCOME TAX, MUMBAI Petitioner(s)

VERSUS

M/S SIEMENS AKTIENGESELLSCHAFT Respondent(s)

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

Date: 07/07/2010 This Petition was called on for hearing today.

CORAM :

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

For Petitioner(s) Mr. Bishwajit Bhattacharya,ASG.
Mr. Arijit Prasad,Adv.
Mr. Vikas Malhotra,Adv.
Mr. B.V. Balaram Das,Adv.

For Respondent(s)

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

Heard learned counsel for the Department.
Delay condoned.
After passing of the impugned order, the
Parliament has amended the law vide Finance Act
No.14 of 2010. In the circumstances, impugned
order is set aside and the matter is remitted to
...2/-

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the High Court to consider the question of
condonation of delay in the light of the amended
law. We make it clear that the Department will
take out Notice of Motion within eight weeks from
today and will satisfy the High Court that there is
sufficient cause for condonation of delay. It is,
however, made clear that if the Department fails to
take out Notice of Motion within eight weeks from
today, then the matter will not be considered by
the High Court.

Subject to above, the special leave
petition is disposed of.

[T.I. Rajput]
A.R.-cum-P.S.

[Madhu Saxena]
Assistant Registrar