

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 (Civil) No(s).17837/2008

(From the judgement and order dated 13/08/2007 in TC No.1059/2004 of The HIGH COURT OF MADRAS)

JT.COMMR.OF I.T.SPL.RANGE-II,COIMBATORE.

Petitioner(s)

VERSUS

M/S NARASIMHA MILLS LTD.

Respondent(s)

(With appln(s) for c/delay in filing SLP, prayer for interim relief 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. R.P. Bhatt, Sr. Adv.
Mr. A.K. Shrivastava, 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

Delay condoned.

Leave granted.

None appears for the respondent-assessee, though served.

The appeal is disposed of with no order as to costs.

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

[Madhu Saxena]
Assistant Registrar

(Signed order is placed on the file)
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.4975 OF 2010
(Arising out of S.L.P. (C) No.17837 of 2008)

Joint Commissioner of Income Tax,
Special Range-II, Coimbatore

...Appellant(s)

Versus

M/s. Narasimha Mills Ltd.

...Respondent(s)

O R D E R

Delay condoned.

Leave granted.

None appears for the respondent-assessee, though served.

This matter is squarely covered by the judgements of this Court in the cases of Commissioner of Income Tax vs. Saravana Spinning Mills Private Limited, reported in [2007] 293 ITR 201 and Commissioner of Income Tax vs. Ramaraju Surgical Cotton Mills, reported in [2007] 294 ITR 328.

Accordingly, the civil appeal filed by the Department is disposed of in terms of the judgements of this Court in Saravana Spinning Mills Private Limited [supra] and Ramaraju Surgical Cotton Mills [supra] with no order as to costs.

.....CJI.
[S.H. KAPADIA]

.....J.
[K.S. RADHAKRISHNAN]

.....J.
[SWATANTER KUMAR]

New Delhi,
July 07, 2010.