êITEM NOS.27 & 49 COURT NO.1 SECTION IIIA

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 9449/2010)
(From the judgement and order dated 09/07/2009 in ITA No.4022/2008
of The HIGH COURT OF BOMBAY)

C.I.T Petitioner(s)

VERSUS

M/S CHOKSI TUBE CO.LTD. Respondent(s)

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

With S.L.P. (C) Nos...../2010 (CC 10063-10064/2010)
(With appln(s) for c/delay in filing SLP and office report)

S.L.P. (C) Nos...../2010 (CC 9631-9632/2010)
(With appln(s) for c/delay in filing SLP and office report)

Date: 09/07/2010 These Petitions 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. B. Bhattacharya,ASG
Mr. Fuzail Ahmad Ayyubi,Adv.
Mr. H.R. Rao,Adv.
Mr. B.V. Balaram Das,Adv.

For Respondent(s) Ms. Suchitra A. Chitale,Adv.
Ms. Sunaina Dutta,Adv.

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

Delay condoned.
After passing of the impugned order, the Parliament has amended the law vide Finance Act

...2/-

No.14 of 2010. In the circumstances, impugned order is set aside and the matters are remitted to 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 petitions are disposed of.

[T.I. Rajput] [Madhu Saxena]

A.R.-cum-P.S.	Assistant Registrar