

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) No(s).17580/2011

(From the judgement and order dated 22/07/2009 in ITAL No.1586/2009 of the HIGH COURT OF JUDICATURE AT BOMBAY)

C.I.T, CITY-3 MUMBAI

Petitioner(s)

VERSUS

M/S DAMINI ESTATE & FINANCE P.LTD.

Respondent(s)

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

Date: 22/03/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU  
HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR

For Petitioner(s) Mr.V.Shekhar, Sr.Adv.  
Mr.Rahul Kaushik, Adv.  
Ms.Rashmi Malhotra, Adv.  
Mrs.Anil Katiyar, Adv.  
Ms.Shaveta Chaudhary, Adv.  
For Mr. B.V. Balaram Das,Adv.

For Respondent(s) Mr. Jay Savla,Adv.  
Mr.Prabhat, K.C.,Adv.  
Ms.Amrita Mishra, Adv.  
Ms.Renuka Sahu, Adv.

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

Heard learned counsel for the Department.  
Delay condoned.

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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 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.

(G.V.Ramana)  
Court Master

(Vinod Kulvi)  
Court Master