

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 for Special Leave to Appeal (Civil) No.17872/2010

(From the judgment and order dated 20/07/2009 in ITA No.737/2009 of THE HIGH COURT OF JUDICATURE AT BOMBAY)

C.I.T, MUMBAI

Petitioner(s)

V E R S U S

M/S MANEESH PHARMACEUTICALS P.LTD.

Respondent(s)

(With prayer for interim relief and office report)

With S.L.P. (C) No. 17873 of 2010
(With office report)

Date: 23/08/2011 These Petitions were 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. Mukul Gupta, Sr. Adv.
Mr. T.A. Khan, Adv.
Mr. Gaurav Dhingra, Adv.
Mr. B.V. Balaram Das, Adv.

For Respondent(s)

Mr. Vikas Dhawan, Adv.
Mr. Abhimanu Mahajan, Adv.
Ms. Shally Bhasin Maheshwari, Adv.

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

Heard learned counsel for the Department.
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 matters are remitted to

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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
petitions are disposed of.

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

[Renuka Sadana]
Court Master