

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).16108/2007

(From the judgement and order dated 29/11/2006 in TC No.968/2004 of The HIGH COURT OF MADRAS)

COMMR.OF INCOME TAX,MADURAI Petitioner(s)

VERSUS

M/S BHOJRAJ TEXTILE MILLS LTD. Respondent(s)

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

Date: 08/02/2010 This Petition was called on for hearing today.

CORAM :

- HON'BLE MR. JUSTICE S.H. KAPADIA
HON'BLE MR. JUSTICE SWATANTER KUMAR
HON'BLE MR. JUSTICE C.K. PRASAD

For Petitioner(s) Mr. Vivek Tankha,ASG.
Mr. Rahul Kaushik,Adv.
Mr. Mukul Gupta,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, though served.

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

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

[Madhu Saxena]
Court Master

[Signed order is placed on the file]
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.1646 OF 2010
(Arising out of S.L.P. (C) No.16108 of 2007)

Commissioner of Income Tax, Madurai ...Appellant(s)

Versus

M/s. Bhojraj Textile Mills Limited ...Respondent(s)

Leave granted.

None appears for the respondent, 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 I.T.R. 201 and Commissioner of Income Tax vs. Ramaraju Surgical Cotton Mills, reported in [2007] 294 I.T.R. 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.

.....J.
[S.H. KAPADIA]

.....J.
[SWATANTER KUMAR]

.....J.
[C.K. PRASAD]

New Delhi,
February 08, 2010.