

**SECTION III-A  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION**

**PETITION FOR SPECIAL LEAVE TO APPEAL NO...CC 12598 OF 2015**

**WITH**

**INTERLOCUTORY APPLICATION NO. 1**

(Application for condonation of delay in filing Special Leave Petition)

**THE COMMISSIONER OF INCOME TAX-10 & ANR**

**...PETITIONERS**

**VERSUS**

**M/S CYPRESS SEMI CONDUCTOR TECHNOLOGY INDIA PVT. LTD.**

**...RESPONDENT**

**OFFICE REPORT**

It is submitted for information of the Hon'ble Court that the Special Leave Petition above-mentioned is filed against the final impugned Judgment and Order dated 7<sup>th</sup> November, 2014 of the High Court of Karnataka at Bangalore in ITA No. 1017 of 2008 and is barred by time by 88 days. Counsel for the Petitioner has filed Application for Condonation of delay in filing Special Leave Petition.

It is further submitted for information of the Hon'ble Court that Special Leave Petition No. 27942 of 2012 @ S.L.P.(C)...CC No. 15688 of 2012 entitled "C.I.T & ANR vs M/S ARCUS TECHNOLOGY LTD." arising out of similar issue which was listed before the Hon'ble Court on 17th September, 2012, when the Hon'ble Court has directed to issue notice. (Copy of the Order dated 17th September, 2012 is enclosed herewith for reference.).

It is further submitted for information of the Hon'ble Court that Special Leave Petition No. 22405 of 2015 @ S.L.P.(C)...CC No. 12273 of 2015 entitled "COMMISSIONER OF INCOME TAX & ANR. vs M/S. CYPRESS SEMI CONDUCTOR TECHNOLOGY INDIA PVT. LTD." arising out of common order which was listed before the Hon'ble Court on 31<sup>st</sup> July, 2015, when the Hon'ble Court has directed to issue notice. (Copy of the Order dated 31<sup>st</sup> July, 2015 is enclosed herewith for reference.).

It is also submitted that office report on default for not filing Additional document as per undertaking letter was listed before the Hon'ble Judge-in-chamber on 15<sup>th</sup> October, 2015 when the following order was passed:-

**"Learned counsel for the petitioners submits that no additional documents to be filed in this Special Leave Petition.**

**List the matter before the Bench."**

It is also submitted that Counsel for the petitioner has filed additional documents as per undertaking letter. Copy of the letter has been included in the Paperbook.

The matter alongwith application above-mentioned is listed before the Hon'ble Court with this office report.

DATED THIS THE 6TH DAY OF NOVEMBER, 2015.

**ASSISTANT REGISTRAR**

COPY TO:

Mrs. Anil Katiyar, Advocate

**ASSISTANT REGISTRAR**