

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 9077/2010)
(From the judgement and order dated 02/07/2009 in ITA No.2682/2008
of The HIGH COURT OF BOMBAY)

C.I.T-5 Petitioner(s)

VERSUS

M/S GAGAN TRADING CO.LTD. Respondent(s)

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

With S.L.P. (C) No...../2010 (CC 9392/2010)
(With appln(s) for c/delay in filing SLP and office report)

S.L.P. (C) No...../2010 (CC 9427/2010)
(With appln(s) for c/delay in filing SLP and office report)

S.L.P. (C) No...../2010 (CC 9634/2010)
(With appln(s) for c/delay in filing SLP and office report)

S.L.P. (C) No...../2010 (CC 9691/2010)
(With appln(s) for c/delay in filing SLP and office report)

Date: 01/09/2010 These Matters 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. Gopal Subramaniam,SG.
Mr. Bishwajit Bhattacharya,ASG.
Mr. Mukul Gupta,Sr.Adv.
Mr. Yatinder Chaudhary,Adv.
Mr. Aman Ahluwalia,Adv.
Mr. B.V. Balaram Das,Adv.

For Respondent(s) Ms. Kavita Jha,Adv.

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

In these cases, Action Taken Report has
been submitted. Learned Solicitor General states
that further status report will also be submitted
to the Court within eight weeks from today. Action
Taken Report is taken on record and be treated as
an interlocutory application. This interlocutory
application shall stand over for eight weeks.

Delay condoned.

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
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. 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.

It is,

Subject to above, the special leave petitions are disposed of.

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

[ Madhu Saxena ]  
Assistant Registrar