

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NOS. 7468-7469 OF 2004

COMMISSIONER OF INCOME TAX, CALICUT ... Appellant
VERSUS
COMMONWEALTH TRUST (I) LTD. ... Respondent

O R D E R

Though the view of the High Court in the impugned judgment may not be correct in interpreting the provisions of Section 43B of the Income Tax Act as it prevailed at the relevant time, however, in view of the subsequent amendment with effect from 01.04.2004 by Finance Act, 2003, whereby the second proviso to Section 43B stands omitted, result would still be the same. Therefore, it is not necessary to entertain these appeals which are, accordingly, dismissed.

....., J.
[A.K. SIKRI]

....., J.
[ROHINTON FALI NARIMAN]

New Delhi;
April 22, 2015.

Signature Not Verified

Digitally signed by
Meenakshi Kohli
Date: 2015.04.23
17:56:03 IST
Reason:

ITEM NO.111 COURT NO.12 SECTION IIIA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No(s). 7468-7469/2004

COMMR. OF INCOME TAX, CALICUT Appellant(s)
VERSUS
COMMONWEALTH TRUST (I) LTD. Respondent(s)

(with office report)

Date : 22/04/2015 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. SIKRI
HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Appellant(s)

Ms. Pinky Anand, ASG.
Mr. Rupesh Kumar, Adv.
Ms. Purnima Bhatt, Adv.
Ms. Anil Katiyar, Adv.
Mr. B. V. Balaram Das, Adv.

For Respondent(s)

Mr. Subramonium Prasad, Adv.

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

The appeals are dismissed in terms of the signed
order.

(Nidhi Ahuja)
COURT MASTER

(Suman Jain)
COURT MASTER

[Signed order is placed on the file.]