

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 14389/2010)
(From the judgement and order dated 07/01/2010 in ITA No.1377/2009
of The HIGH COURT OF BOMBAY)

C.I.T-LTU MUMBAI

Petitioner(s)

VERSUS

M/S MANEESH PHARMACEUTICALS P.LTD.

Respondent(s)

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

Date: 24/09/2010 This Petition was 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. Goolam E. Vahanvati, AG.
Mr. Rahul Kaushik, Adv.
Mr. Rohit Sharma, Adv.
Mr. B.V. Balaram Das, Adv.

For Respondent(s)

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

Although there is a delay of four years in
the High Court keeping in view the question of law
involved and the stakes involved, we pass the
following order:

...2/-

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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 matter is 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. 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
petition is disposed of.

[Alka Dudeja]
A.R.-cum-P.S.

[Madhu Saxena]
Assistant Registrar