

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).23698/2010

(From the judgement and order dated 23/07/2009 in ITA No.1807/2007 of The HIGH COURT OF BOMBAY)

C.I.T Petitioner(s)

VERSUS

PANDURANG SAHAKARI SAKHAR KARKHANA LTD Respondent(s)

(With office report)

Date: 02/07/2012 This Petition was called on for hearing today.

CORAM :

- HON'BLE THE CHIEF JUSTICE
- HON'BLE MR. JUSTICE A.K. PATNAIK
- HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR

For Petitioner(s) Mr. Gourab Banerji,ASG.
 Mr. Abhinav Mukherji,Adv.
 Mr. T.M. Singh,Adv.
 Ms. Anil Katiyar,Adv.
 for Mr. B.V. Balaram Das,Adv.

For Respondent(s) Mr. Vimal Chandra S. Dave,Adv.

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

Heard learned counsel on both sides.

Leave granted.

The civil appeal is allowed with no order as to costs.

[T.I. Rajput]	[Indu Satija]
A.R.-cum-P.S.	Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.4835 OF 2012

(Arising out of S.L.P. (C) No.23698 of 2010)

Commissioner of Income Tax ...Appellant(s)

Versus

Pandurang Sahakari Sakhar Karkhana Ltd. ...Respondent(s)

O R D E R

Heard learned counsel on both sides.
Leave granted.

The issue involved in this civil appeal is squarely covered by the order of this Court passed on 20th January, 2010, in the case of Deputy Commissioner of Income Tax, Nashik vs. Shri Satpuda Tapi Parisar SSK Ltd., reported in [2010] 326 ITR 42. Accordingly, the matter is remitted to the concerned Commissioner of Income Tax (Appeals) to decide the case de novo in terms of the order of this Court in Shri Satpuda Tapi Parisar SSK Ltd. [supra].

The civil appeal stands, accordingly, allowed with no order as to costs.

.....CJI.
[S.H. KAPADIA]

.....J.
[A.K. PATNAIK]

.....J.
[JAGDISH SINGH KHEHAR]

New Delhi,
July 02, 2012.
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