

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGSPetition(s) for Special Leave to Appeal (Civil)...../2008
CC 12711/2008(From the judgement and order dated 15/09/2007 in ITA No. 850/2006
of the HIGH COURT OF DELHI AT NEW DELHI)

C.I.T.,NEW DELHI

Petitioner(s)

VERSUS

M/S.PREETI AGGARWALA

Respondent(s)

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

Date: 17/11/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

For Petitioner(s) Mr. G.E. Vahanvati, S.G.

Mr. Arijit Prasad, Adv.

Mr. T.A. Khan, Adv.

Mr. Sparsh Bhargava, Adv.

Mr. B.V. Balaram Das,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
ORDER

In this case, when the Tribunal and the High Court decided the matter in favour of the assessee, Section 271(1B) was not there in the Income Tax Act. It has been introduced by Finance Act, 2008, w.e.f. 1st April, 1989. In the circumstances, it would be open to the Department to move the Tribunal, within two weeks, by way of clarification as to the effect of the said amendment.

Stand over for eight weeks.

(N. ANNAPURNA)
COURT MASTER(MADHU SAXENA)
COURT MASTER