

S U P R E M E                      C O U R T   O F       I N D I A  
R E C O R D   O F   P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s).27690/2008

(From the judgement and order dated 14/08/2007 in ITA No.297/2007  
of The HIGH COURT OF BOMBAY, BENCH AT AURANGABAD)

COMMR.OF INCOME TAX

Petitioner(s)

VERSUS

SHIRPUR SHETKARI S.S.K.LIMITED

Respondent(s)

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

Date: 23/07/2010                      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.    R.P. Bhatt, Sr. Adv.  
Ms.    Neera Gupta, Adv.  
Ms.    Sangeeta Kumari, Adv.  
Mr.    B.V. Balaram Das, Adv.

For Respondent(s)

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

None appears for the respondent, though  
served.

Delay condoned.

Leave granted.

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

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

[ Madhu Saxena ]  
Assistant Registrar

[Signed order is placed on the file]  
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.5912 OF 2010  
(Arising out of S.L.P. (C) No.27690 of 2008)

Commissioner of Income Tax

...Appellant(s)

Versus

Shirpur Shetkari S.S.K. Limited

...Respondent(s)

O R D E R

None appears for the respondent, though served.

Delay condoned.

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. [Civil Appeal No.617 of 2010]. 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.  
[K.S. RADHAKRISHNAN]

.....J.  
[SWATANTER KUMAR]

New Delhi,  
July 23, 2010.