

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).27967/2008

(From the judgement and order dated 12/10/2004 in APOT No. 373/2004
of the HIGH COURT OF CALCUTTA)

KRISHNA KUMAR DAGA

Petitioner(s)

VERSUS

ASST.COMMISSIONER OF I.T.& ORS.

Respondent(s)

(With prayer for interim relief)

Date: 02/12/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA
HON'BLE MR. JUSTICE CYRIAC JOSEPH

For Petitioner(s) Mr. S. Ganesh,Sr.Adv.
Mr. Pratap Venugopal,Adv.
Ms. Surekha Raman,Adv.
Ms. Jhuma Bose,Adv.
Mr. Dileep P.,Adv.
Ms. Barska Misra,Adv.
for M/S. K.J. John & Co.,Advs.

For Respondent(s)

UPON hearing counsel the Court made the following
ORDER

The notice under Section 158BD of the Income Tax Act,
requiring the petitioner to file block return, having been issued in
December, 2003, we are not inclined to interfere with the impugned
order. The special leave petition is dismissed.

However, it would be open to the petitioner to show that the
jurisdictional fact for issuing the said notice did not exist before the
Appellate Tribunal.

(A.S. BISHT) (PUSHAP LATA BHARDWAJ)
COURT MASTER COURT MASTER