

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).1596/2009

(From the judgement and order dated 14/08/2007 in ITA No.255/2007 of The HIGH COURT OF BOMBAY)

COMMISSIONER OF INCOME TAX

Petitioner(s)

VERSUS

SANT EKNATH SAHAKARI SAKHAR KAR.LTD.

Respondent(s)

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

With S.L.P. (C) No.1597 of 2009

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

S.L.P. (C) No.1598 of 2009

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

Date: 10/12/2010

These Matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE K.S. PANICKER RADHAKRISHNAN

HON'BLE MR. JUSTICE SWATANTER KUMAR

For Petitioner(s)

Mr. Vivek K. Tankha,ASG.

Mr. D.D. Kamat,Adv.

Ms. Naila Jung,Adv.

Mr. Pratul Shandilya,Adv.

Mr. Sumeer Sodhi,Adv.

Mr. Vaibhav Srivastava,Adv.

Mr. D. Kumanan,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 respondents, though served.

...2/-

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Delay condoned.

Leave granted.

The civil appeals are allowed with no order as to costs.

[T.I. Rajput]
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.10463 OF 2010
(Arising out of S.L.P. (C) No.1596 of 2009)

Commissioner of Income Tax

...Appellant(s)

Versus

Sant Eknath Sahakari Sakhar Karkhana Ltd.

...Respondent(s)

With Civil Appeal No.10464 of 2010 @ S.L.P. (C) No.1597/2009
and Civil Appeal No.10465 of 2010 @ S.L.P. (C) No.1598/2009.

O R D E R

None appears for the respondents, though served.

Delay condoned.

Leave granted.

The issue involved in these civil appeals is squarely covered by the order of this Court passed on 20 th 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 cases de novo in terms of the order of this Court in Shri Satpuda Tapi Parisar SSK Ltd. [supra].

The civil appeals stand, accordingly, allowed with no order as to costs.

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

.....J.
[K.S. PANICKER RADHAKRISHNAN]

.....J.
[SWATANTER KUMAR]

New Delhi,
December 10, 2010.