ITEM NO.43 COURT NO.1 SECTION IIIA

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)...../2010
(CC 17377-17378/2010)
(From the judgement and order dated 09/07/2009 in NM No.2155/2009
with ITA No.1407/2009 of The HIGH COURT OF BOMBAY)

COMMISSIONER OF INCOME TAX-12, MUMBAI Petitioner(s)

VERSUS

MAHENDRA MATHURIA Respondent(s)

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

Date: 22/11/2010 These Petitions 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. Mohan Parasaran,ASG.
Mr. Ajay Sharma,Adv.
Mr. B.V. Balaram Das,Adv.

For Respondent(s)

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

We find once again huge delay in filing of special leave petitions/appeals by the Department. It is important to note that delay exists in matters of stakes. At one point of time, we had invited the attention of the learned Attorney General of India. Since then, prompt action was taken. However, we find once again that there is lapse in filing of special leave petitions/appeals by the Department. In the circumstances, we direct

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the Director, Directorate of Taxation (L&R), to file an affidavit explaining the reasons for delay within four weeks.

Place these special leave petitions below S.L.P. (C) No...../2010 (CC 17106/2010) on the next date of listing.

The Registry shall send a copy of this Order to the learned Attorney General of India.

[T.I. Rajput]
A.R.-cum-P.S.

[Madhu Saxena]
Assistant Registrar