

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) No(s).32180/2010

(From the judgement and order dated 22/07/2009 in ITA No.1445/2009 of The HIGH COURT OF BOMBAY)

C.I.T Petitioner(s)

VERSUS

MAHANKALI S.S.K.LTD. Respondent(s)

(With prayer for interim relief and office report)

Date: 18/03/2011 This Petition was 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. R.P. Bhatt,Sr.Adv.
Mr. Rupesh Kumar,Adv.
Mr. Nishanth Patil,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.
Leave granted.
The civil appeal stands, accordingly, allowed with no
order as to costs.

[Alka Dudeja] [Madhu Saxena]
A.R.-cum-P.S. Assistant Registrar

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

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.2603 OF 2011
(Arising out of S.L.P. (C) No.32180 of 2010)

Commissioner of Income Tax ...Appellant(s)

Versus

Mahankali S.S.K. Ltd. ...Respondent(s)

O R D E R

None appears for the respondent, though served.

Leave granted.

The issue involved in this civil appeal 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 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. PANICKER RADHAKRISHNAN]

.....J.
[SWATANTER KUMAR]

New Delhi,
March 18, 2011.