ITEM NO.7 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 16774/2010)
(From the judgement and order dated 15/10/2009 in ITA No.18/2001
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

C.I.T., MEERUT Petitioner(s)

VERSUS

M/S. MODI XEROX LTD. Respondent(s)

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

With S.L.P. (C) No...../2010 (CC 17184/2010)
(With appln(s) for c/delay in filing SLP and office report)

Date: 15/11/2010 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. Goolam E. Vahanvati,AG.
Mr. Rupesh Kumar,Adv.
Mr. Mihir Chatterjee,Adv.
Mr. B.V. Balaram Das,Adv.

For Respondent(s) Mr. Ajay Vohra,Adv.
Ms. Kavita Jha,Adv.

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

Delay condoned.
After passing of the impugned order, the
...2/-

Parliament has amended the law vide Finance Act No.14 of 2010. In the circumstances, impugned order is set aside and the matters are remitted to the High Court to consider the question of condonation of delay in the light of the amended law. We make it clear that the Department will take out Notice of Motion within eight weeks from today and will satisfy the High Court that there is sufficient cause for condonation of delay. It is, however, made clear that if the Department fails to take out Notice of Motion within eight weeks from today, then the matter will not be considered by the High Court.

Subject to above, the special leave petitions are disposed of.

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

[Madhu Saxena]
Assistant Registrar