

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).3108/2008

(From the judgement and order dated 02/04/2007 in TC No.309/2007 of The HIGH COURT OF MADRAS)

COMMISSIONER OF INCOME TAX, MADURAI

Petitioner(s)

VERSUS

S.KANNAN

Respondent(s)

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

Date: 12/04/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA  
HON'BLE MR. JUSTICE SWATANTER KUMAR

For Petitioner(s)

Mr. Bishwajit Bhattacharya,ASG.  
Mr. T.A. Khan,Adv.  
Mr. Rupesh Kumar,Adv.  
Mr. B.V. Balaram Das,Adv.

For Respondent(s)

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

Delay condoned.

Leave granted.

None appears for the respondent, though served.

The civil appeal is allowed.

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.3211 OF 2010  
(Arising out of S.L.P. (C) No.3108 of 2008)

Commissioner of Income Tax, Madurai

...Appellant(s)

Versus

S. Kannan

...Respondent(s)

O R D E R

Delay condoned.

Leave granted.

None appears for the respondent, though served.

The civil appeal filed by the Department stands allowed in terms of the judgement of this Court in the case of Commissioner of Income Tax, Faridabad vs. Ghanshyam (HUF), reported in 2009 (8) SCC 412.

No order as to costs.

.....J.  
[S.H. KAPADIA]

.....J.  
[SWATANTER KUMAR]

New Delhi,  
April 12, 2010.