

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).4722/2008

(From the judgment and order dated 28/03/2007 in TC No.243-245/2007  
of The HIGH COURT OF MADRAS)

COMMR.OF INCOME TAX,MADURAI

Petitioner(s)

VERSUS

M/S RAJAPALAYAM MILLS LTD.

Respondent(s)

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

Date: 06/02/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA

HON'BLE MR. JUSTICE AFTAB ALAM

For Petitioner(s) Mr. V. Shekhar, Sr.Adv.

Mr. C.V. Subba Rao, Adv.

Mr. Y.P. Mahajan, Adv.

Mr. B.V. Balaram Das,Adv.

For Respondent(s) Mr. S. Ganesh, Sr.Adv.

Ms. Radha Rangaswamy,Adv.

UPON hearing counsel the Court made the following  
ORDER

Delay condoned.

Leave granted.

The appeal is allowed with no order as to costs.

(S. Thapar)

PS to Registrar

The signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

(Madhu Saxena)

Court Master

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.758 OF 2009

(Arising out of SLP(C) No.4722 of 2008)

COMMR. OF INCOME TAX, MADURAI

...APPELLANT (S)

VERSUS

M/S RAJAPALAYAM MILLS LTD.

...RESPONDENT(S)

ORDER

Delay condoned.

Leave granted.

Both sides agree that the matter is squarely covered by our judgment in the case of Commissioner of Income Tax Vs. Ramaraju Surgical Cotton Mills reported in [2007] 294 ITR 328 SC decided on 21st August, 2007. Accordingly, the matter stands remitted to CIT(Appeals) for disposal in accordance with law.

Department's appeal is allowed with no order as to costs.

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

New Delhi,  
February 06, 2009

.....J  
[ AFTAB ALAM ]