

**SECTION III-A
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO...CC 4123 OF 2015

WITH
INTERLOCUTORY APPLICATION NO. 1
(Application for condonation of delay in filing Special Leave Petition)
AND
INTERLOCUTORY APPLICATION NO. 2
(Application for condonation of delay in Refiling Special Leave Petition)

COMMISSIONER OF INCOME TAX-5, MUMBAI

...PETITIONER

VERSUS

M/S. ESSAR INVESTMENTS LTD.

...RESPONDENT

OFFICE REPORT

It is submitted for information of the Hon'ble Court that the Special Leave Petition above-mentioned is filed against the Judgment and Order dated 13th August, 2014 of the High Court of Judicature at Bombay in ITA No. 661 of 2012 and is barred by time by 30 days. The Counsel for the petitioner has filed Application for condonation of delay in filing Special Leave Petition. Counsel for the petitioner has also filed application for condonation of delay in re-filing the Special Leave Petition after curing the defects which is barred by time by 45 days.

It is further submitted for information of the Hon'ble Court that Special Leave Petition Nos. 14729-14731 of 2012 @CC Nos. 7138-7140 of 2012 entitled "ADDL.COMMR.OF I.T vs M/S.TULIP STAR HOTELS LTD." referred to as Annexure P-4 which were listed before the Hon'ble Court on 30th April, 2012, when the Hon'ble Court has directed to issue notice. (Copy of the Order dated 30th April, 2012 is annexed as Annexure P-4 at page Nos. 189-191 of the paper books.)

It is further submitted for information of the Hon'ble Court that Civil Appeal No. 5101 of 2012 @SLP(C) No. 20108 of 2012 entitled "C.I.T-5 MUMBAI vs M/S ESSAR INVESTMENTS LTD." involving similar question of law is pending which was listed before the Hon'ble Court on 9th July, 2012 when the Hon'ble Court has granted leave. (Copy of the Order dated 9th July, 2012 is enclosed herewith for reference.)

It is further submitted that Counsel for the petitioner has filed Additional documents as per her undertaking letter. Copy of the same has been included in the paper books.

The matter alongwith applications above mentioned is listed before the Hon'ble Court with this office report.

DATED THIS THE 31ST DAY OF MARCH, 2015.

ASSISTANT REGISTRAR

COPY TO:

Mrs. Anil Katiyar , Advocate

ASSISTANT REGISTRAR

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