

ITEM NO.24

COURT NO.5

SECTION IIIA

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

I.A. 2/2016 in Petition(s) for Special Leave to Appeal (C) No(s).  
8283/2016

(Arising out of impugned final judgment and order dated 11/11/2014  
in ITA No. 166/2013 passed by the High Court Of Calcutta)

COMMISSIONER OF INCOME TAX, CENTRAL-I. KOLKATA                      Petitioner(s)

VERSUS

M/S EAST END SILKS (P) LIMITED                                              Respondent(s)

(for restoration and office report)

Date : 18/07/2016 This application was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE  
[IN CHAMBER]

For Petitioner(s)      Ms. Sadhana Sandhu, Adv.  
                                         Mrs. Anil Katiyar, Adv.

For Respondent(s)

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

Heard learned counsel for the petitioner on the  
application (I.A.No.2/2016) for restoration.

This is an application made by the petitioner  
(commissioner of Income Tax, Central-I, Kolkata) for restoration of  
the SLP by recalling the order dated 19.2.2016 passed by this Court  
in which the SLP(c)No.8283/2013 was dismissed for not removing the  
defects pointed out by the Registry within the time given.

The peremptory order dated 19.2.2016 by which the SLP  
came to be dismissed reads as under:

"As prayed, four weeks' time is granted to the  
petitioner to remove the defects, failing which the  
special leave petition shall stand dismissed  
without further reference to the court."

Learned counsel for the petitioner submits that it may not be necessary to cure the defect having regard to the nature of controversy and the question of law involved in the SLP and hence the order be recalled in the interest of justice and the SLP be heard on the question of admission.

I accept the statement and accordingly recall the order dated 19.2.2014. I.A.No.2/2016 accordingly stands allowed.

The special leave petition is restored to its original number. Let it be listed before the appropriate Bench.

[O.P. SHARMA]  
AR-cum-PS

[RAJINDER KAUR]  
COURT MASTER