

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

**PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO...CC 3589 OF 2016**

**WITH**

**INTERLOCUTORY APPLICATION NO. 1**

(Application for condonation of delay in filing Special Leave Petition.)

**COMMISSIONER OF INCOME TAX – III**

**...PETITIONER**

**VERSUS**

**M/S NITESH INFRASTRUCTURE PVT. 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 Final Judgment and Order dated 8<sup>th</sup> September, 2015 of the High Court of Karnataka at Bangalore in ITA No. 393 of 2015 and is barred by time by 52 days. The Counsel for the petitioner has filed Application for condonation of delay in filing Special Leave Petition.

It is further submitted for information of the Hon'ble Court that Civil Appeal NO. 2076 of 2012 @ S.L.P.(C) No. 6088 of 2012 entitled "C.I.T DELHI-I vs M/S CAPARO INDIA P.LTD." arising out of similar issue, which was listed before the Hon'ble Court on 13<sup>th</sup> February, 2012 when the Hon'ble Court has granted leave. ( Copy of the Order dated 13<sup>th</sup> February, 2012 is enclosed herewith for reference.)

It is also submitted that Counsel for the petitioner has on 2nd March, 2016 filed Additional documents as per undertaking letter 18<sup>th</sup> February, 2016. The same has been included in Paper books.

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

DATED THIS THE 18TH DAY OF MARCH, 2016

**ASSISTANT REGISTRAR**

**COPY TO:**

Mr. B. V. Balram Das, Advocate

**ASSISTANT REGISTRAR**