

*Listed On :- 18.03.2016*  
*Court No. : R-1*  
*Item No. : 5*

**SECTION IIIA  
IN THE SUPREME COURT OF INDIA  
CIVIL APPEALATE JURISDICTION**

**CIVIL APPEAL NOS. 3157, 3158, 3439, 4292 AND 8960 OF 2012**  
**AND**  
**CIVIL APPEAL NOS. 1000 AND 3961 OF 2013**

**COMMISSIONER OF INCOME TAX** **...APPELLANT**

**VERSUS**

**SHIVA COMMODITIES & DERIVATIVES** **...RESPONDENT**

**OFFICE REPORT**

**CIVIL APPEAL NOS. 3157 & 8960 OF 2012 AND 1000 OF 2013**

The matters above-mentioned were listed before the Ld. Registrar's Court on 15<sup>th</sup> January, 2016, when he was pleased to pass the following order:-

"Ld. Counsel for the appellant to file latest and complete address to effect service on the sole respondent within four weeks time in both matters as last opportunity. Notices thereafter be issued.  
List again on 18.3.2016."

It is submitted that in Civil Appeal No. 3157 of 2012, Mr. B. V. Balram Das, Counsel for the Appellant has on 11<sup>th</sup> February, 2016 filed fresh and correct address of the sole respondent but the name of respondent mentioned in that does not tally with the name of the Respondent in Petition of Appeal. Counsel for the appellant, vide this Registry's letter dated 13<sup>th</sup> February, 2016, has been informed to clarify the same and to file the Application for Amendment of Cause title but he has not done the needful so far.

It is further submitted that counsel for the appellant has not filed fresh and correct address of the sole respondent in Civil Appeal No. 8960 of 2012 and 1000 of 2013.

**OFFICE REPORT FOR DIRECTION**

**CIVIL APPEAL NOS. 3158, 3439, 4292 OF 2012 AND 3961 OF 2013**

The matters above-mentioned alongwith Civil Appeal No. 2762 of 2012 were listed before the Ld. Registrar's Court on 8<sup>th</sup> April, 2015, when he was pleased to pass the

following order:-

"Service of the sole respondent is complete but none has come present. However, affidavit of valuation is yet to be filed by the appellant. In fact, the deposit of court fee of Rs. 1,750/- in each of these matters is still to be made by the petitioner. Be made within three weeks time. After the necessary deposit and the filing of the affidavit in this respect, Registry to process to list the matter before the Hon'ble Court as per Rule."

It is submitted that Mr. B. V. Balram Das, Counsel for the Appellant has on 11<sup>th</sup> February, 2016 filed Deficit Court Fee of Rs. 1750/- in each of the above-mentioned matters except Civil Appeal No. 3961 of 2013.

The matters are ready for Pre Final Hearing.

The matters above-mentioned are listed before the Ld. Registrar's Court with this office report.

DATED THIS THE 16TH DAY OF MARCH, 2016

**ASSISSTANT REGISTRAR**

Copy to:

Mr. B. V. Balram Das, Advocate  
Mr. Ambhoj Kumar Sinha, Advocate  
Ms. Kavita Jha, Advocate

**ASSISSTANT REGISTRAR**