

Listed on. 12.04.2016

R. Court No. 1

Item No. 15

SECTION IIIA  
IN THE SUPREME COURT OF INDIA  
CIVIL APPEALATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APEAL (C) NO. 24362-63 OF 2013, 18274, 19974, 22282, 24748, 24749, 24750, 14698, 24879, 24747, 26781, 26649, 26780, 29246, 30611, 30639, 36797, 34200, 36421 OF 2014, 12098, 2377, 3512, 12099, 12101, 7156, 7583, 9747, 10432, 12097, 12079, 14580, 9904, 19169, 19305, 28514, 28447 AND 35170 OF 2015  
WITH  
PRAYER FOR INTERIM RELIEF

COMMISSIONER OF INCOME TAX

....PETITIONER

VERSUS

M/S CALCUTTA EXPORT CO. & ORS ETC.

....RESPONDENTS

OFFICE REPORT

The matters above mentioned were listed before the Ld. Registrar's Court on 29<sup>th</sup> January, 2016, when the following order was passed:-

"SLP (C) NO.18274/2014

Last opportunity of four weeks is granted for filing counter affidavit.

SLP (C) NO.24362-63/2013

Ld. Counsel for the petitioner to take fresh steps to effect service on the sole respondent within four weeks time. Notice thereafter be issued.

SLP (C) NO.12079/2015

Service is complete on the sole respondent but none has entered appearance.

SLP (C) NOS. 24749, 30611, 34200 of 2014, 12098, 19169 of 2015

Counter affidavit has been filed.

Matters stand complete. However, to be listed before the Hon'ble Court alongwith connected matters.

SLP (C) NO. 28447, 35170 of 2015

Fresh matters.

SLP (C) NOS. 24747, 24750, 29246, 24748 of 2014

Opportunity to file counter affidavit has already been declined.

Matters stand complete. However, to be listed before the Hon'ble Court alongwith connected matters.

SLP(C) NO.24879/2014

Despite last opportunity having been granted, counter affidavit has not been filed by the sole respondent. As such further opportunity is declined.

Matter stands complete. However, to be listed before the Hon'ble Court alongwith connected matters.

SLP(C) NO. 2377, 12097, 12099, 12101 of 2015

Last opportunity of four weeks is granted for filing counter affidavit.

SLP(C) NOS. 19974, 22282, 14698, 26781, 26649, 26780, 30639, 36797, 36421 OF 2014, 3512, 7156, 7583, 9747, 10432, 14580, 9904, 19305, 28514 OF 2015

Ld. Counsel for the petitioner to take fresh steps to effect service on the sole respondent within four weeks time as last opportunity. Notice thereafter be issued.

List again on 12.4.2016."

#### SLP(C) NO. 24362-24363 OF 2013

It is submitted that Show Cause Notice was issued to the sole respondent on 25<sup>th</sup> February, 2015. Counsel for the petitioner has on 30<sup>th</sup> March, 2016 filed latest and correct address of the sole respondent but he has not filed spare copy, hence, notice could not be issued.

Service of notice is not complete.

The matters above mentioned were listed before the Hon'ble Court on various dates when the Hon'ble Court has directed to issue notice.

Service position of SLP of 2014 are given below:

S.No.	SLP Nos.	Total Resp.	Vakalatnama filed on behalf of R. Nos.	Neither A.D. Card nor unserved cover received from R. Nos.	Remarks/ service of notice
1.	18274/14	sole	Respresented	-	Complete. Counter-affidavit not filed.
2.	19974/14	sole	-	-	Incomplete.
3.	22282/14	sole	-	-	Incomplete.

4.	24748/14	sole	Respresented	-	Complete. Counter-affidavit not filed.
5.	24749/14	sole	Respresented	-	Complete. Counter-affidavit and rejoinder affidavit filed.
6.	24750/14	sole	Respresented	-	Complete. Counter-affidavit not filed.
7.	14698/14	sole	-	-	Incomplete.
8.	24879/14	sole	Respresented	-	Complete. Counter-affidavit not filed.
9.	24747/14	sole	Respresented	-	Complete. Counter-affidavit not filed.
10.	26781/14	sole	-	-	Incomplete.
11.	26649/14	sole	-	-	Incomplete.
12.	26780/14	sole	-	AD Card received	Complete
13.	29246/14	sole	Respresented	-	Complete. Counter-affidavit not filed.
14.	30611/14	sole	Respresented	-	Complete. Counter-affidavit and Rejoinder Affiavit filed.
15.	30639/14	sole	-	-	Incomplete.
16.	36797/14	sole	-	-	Incomplete.
17.	34200/14	sole	Represented	-	Complete.

					Counter-affidavit and rejoinder affidavit filed.
18.	36421/14	sole	-	-	Incomplete.

Service position of SLP of 2015 are given below:

S.No.	SLP Nos.	Total Resp.	Vakalatnama filed on behalf of R. Nos.	Neither A.D. Card nor unserved cover received from R. Nos.	Remarks/ service of notice
1.	12098/15	sole	Mr. Abhijit Sengupta	-	Complete. Counter-affidavit filed.
2.	2377/15	sole	Mr. K. V. Mohan	-	Complete. Counter-affidavit not filed.
3.	3512/15	Sole	-	AD Card received	Complete
4.	12099/15	sole	Mr. K. V. Mohan	-	Complete. Counter Affidavit not filed.
5.	12101/15	sole	Ms. Priya Aristotle	-	Complete. Counter-affidavit not filed.
6.	7156/15	sole	-	-	Address filed by the advocate but spare copy not filed. Hence, notice could not be issued. <b>Incomplete</b>
7.	7583/15	sole	-	-	Incomplete
8.	9747/15	sole	-	-	Address filed by the advocate but spare copy not filed. Hence, notice could not be issued. <b>Incomplete</b>

9.	10432/15	sole	-	-	Address filed by the advocate but spare copy not filed. Hence, notice could not be issued. <b>Incomplete</b>
10.	12097/15	sole	Mr. K. V. Mohan	-	Complete. Counter Affidavit not filed.
11.	12079/15	sole	-	-	Delivered on 1 <sup>st</sup> May, 2015
12.	14580/15	sole	-	-	Incomplete
13.	9904/15	sole	-	AD Card duly signed by Ms. Preeti Ahuja received.	Complete.
14.	19169/15	sole	Mr. Gautam Narayan	-	Complete. Counter-affidavit & Rejoinder affidavit filed.
15.	19305/15	sole	-	-	Address filed by the advocate but spare copy not filed. Hence, notice could not be issued. <b>Incomplete</b>
16.	28514/15	sole	-	AD Card received	Complete
17.	28447/15	sole	-	-	Fresh matter. Only tag with SLP No 26781 of 2014.
18.	35170/15	sole	-	-	Delay condoned. Tag with SLP Nos. 11139 of 2014.

It is submitted that pursuant to the above Court's Order dated 29<sup>th</sup> January, 2016, Counter affidavit have not filed in SLP Nos. 18274 and 24879 of 2014, 2377, 12097, 12099, 12101 of 2015 and Counter-affidavit filed in SLP Nos. 24749, 34200 and 30611 of 2014.

It is further submitted that service for notice is not complete in SLP Nos. 19974, 22282, 14698, 26781, 26649, 30639, 36797 & 36421 of 2014 and 7156, 7583, 9747, 10432, 14580 & 19305 of 2015.

The matters above-mentioned are listed before the Ld. Registrar's Court for orders.

DATED THIS THE 11TH DAY OF APRIL, 2016.

**ASSISTANT REGISTRAR**

Copy to:

Mrs. Anil Katiyar, Advocate  
Mr Praveen Swarup, Advocate  
Ms. Manisha T. Karia, Advocate  
Mr. Jay Savla, Advocate  
Mr. Ambhoj Kr. Sinha, Advocate  
Mr. K. V. Mohan, Advocate  
Mr. Abhijit Sengupta, Advocate

**ASSISTANT REGISTRAR**

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