

Listed on :- 3-9-2014

Court no.

Item No.

**SECTION III-A
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO. 302 WITH 4549 OF 2013**

WITH

**PETITION FOR SPECIAL LEAVE TO APPEAL(C) NO. 1278, 1279, 1281, 1282
AND 5700 OF 2009 AND 6412 OF 2011**

COMMISSIONER OF INCOME TAX-III PUNE ETC.

...APPELLANTS

VERSUS

SH. CHHATARPATI SAHAKARI SAKHAR KARKHANA ETC.

....RESPONDENTS

OFFICE REPORT

CIVIL APPEAL NO. 302 OF 2013

There is sole respondent and is represented through the counsel.

Service is complete.

Original record is available.

CIVIL APPEAL NO. 4549 OF 2013

There is sole respondent and service is complete but no one has entered appearance so far.

Original record is available.

SLP (C) NO. 1278, 1279 AND 1281 OF 2009

The matters above-mentioned were listed before the Hon'ble Court on 5th January, 2009 when the Hon'ble Court was pleased to pass the following order:-

"Issue notice limited to the applicability of Section 40A(2) of the Income Tax Act, 1961."

Accordingly, show cause notice was issued to the sole respondent in all the matters. Mr. Vimal Chandra S. Dave, Advocate has filed Vakalatnama on behalf of the sole respondent but he has not filed Counter Affidavit so far.

SLP (C) NO. 1282 OF 2009

Accordingly, show cause notice was issued to the sole respondent. A/D card duly signed has been received back on behalf of the sole respondent but none has entered appearance so far.

SLP (C) NO. 5700 OF 2009

The matters above-mentioned were listed before the Hon'ble Court on 27th February, 2009 when the Hon'ble Court was pleased to pass the following order:-

"Delay condoned.

Issue notice.

Tag with SLP(C) No.....CC No. 16839/2008."

Accordingly, show cause notice was issued to the sole respondent neither A/D card nor unserved cover containing show cause notice has been received back so far.

It is submitted to the Hon'ble Court that the matter above-mentioned was listed before the Ld. Registrar's Court from time to time for completion of service and lastly listed on 18th July, 2014 when the following order was passed:

"The learned counsel for the petitioner shall take fresh steps for the service of the notice to the sole respondents within a period of three weeks.

List again on 8.10.2014"

SLP (C) NO. 6412 OF 2011

The matter above-mentioned was listed before the Hon'ble Court on 28th February, 2011 when the Hon'ble Court was pleased to pass the following order:-

"Issue notice as to why the matter should not be remitted to the concerned Commissioner of Income Tax (Appeals) in terms of the order of this Court in the case of Deputy Commissioner of Income Tax, Nashik vs. Shri Satpuda Tapi Parisar SSK Limited [Civil Appeal No.617 of 2010] dated 20th January, 2010.

Issue notice also on the application for condonation of delay."

Accordingly, show cause notice was issued to the sole respondent in the matter above-mentioned. Mr. Vimal Chandra S. Dave, Advocate has filed Vakalatnama on behalf of the sole respondent but he has not filed Counter Affidavit so far.

The matters above-mentioned are listed before the Hon'ble Court with this Office report.

DATED THIS THE 2ND DAY OF SEPTEMBER, 2014.

ASSISTANT REGISTRAR

Copy To:

Mrs. Anil Katiyar, Advocate

Mr. Vimal Chandra Dave, Advocate

ASSISTANT REGISTRAR

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