

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

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO...CC 5136 OF 2016

**WITH
INTERLOCUTORY APPLICATION NO. 1**

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

COMMISSIONER OF INCOME TAX -6

...PETITIONER

VERSUS

M/S KOHINOOR PROJECTS 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 Order dated 23rd September, 2015 of the High Court of Judicature at Bombay in ITA No. 1868 of 2013 and is barred by time by 78 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. 9183 of 2013 @ SLP (C) No. 32688 of 2013 @ S.L.P.(C)...CC No. 17659 of 2013 entitled "C.I.T vs M/S KOHINOOR PROJ. PVT LTD" between same parties arising from similar issue which was listed before the Hon'ble Court on 8th October, 2013 when the Hon'ble Court has granted leave. (Copy of the Order dated 8th October, 2013 is enclosed herewith for reference.)

It is also submitted that Counsel for the petitioner has filed letter dated 14th March, 2016 stating therein that required relied upon judgment in the case of Godrej & Boyce Mfg Ltd. is reported in (2010) 328 ITR 81 and the same is under appeal before this Hon'ble Court in Civil Appeal No. 7019-20 of 2011. Hence its filing may be dispensed with. Copy of order dated 14th March, 2016 is annexed at Page No. 77 of the Paperbooks.

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

DATED THIS THE 28TH DAY OF MARCH, 2016

ASSISTANT REGISTRAR

COPY TO:

Mr. B. V. Balram Das, Advocate

ASSISTANT REGISTRAR

bs5