

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

**PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO....CC 11496 OF 2016**

**WITH**

**INTERLOCUTORY APPLICATION NO. 1**

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

**AND**

**INTERLOCUTORY APPLICATION NO. 2**

(Application for condonation of delay in re-filing special Leave Petition)

**COMMISSIONER OF INCOME TAX-6, MUMBAI**

**...PETITIONER**

**VERSUS**

**M/S KANSAI NEROLAC PAINTS 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 impugned final judgment and Order dated 14<sup>th</sup> July, 2015 of the High Court of Judicature at Bombay in I.T.A No. 1733 of 2013 and is barred by time by 149 days. The counsel for the petitioner has filed application for condonation of delay in filing Special Leave Petition. Counsel for the petitioner has also filed application for condonation of delay in re-filing the Special Leave Petition after curing the defects which is barred by time by 46 days.

It is further submitted for information of the Hon'ble Court that Civil Appeal No. 3358 of 2015 @ SLP (C) No. 10778 of 2015 @ SLP (C) No...CC 5922 of 2015 entitled "COMMISSIONER OF INCOME TAX vs M/S NATIONAL COMMODITY AND DERIVATIVES EXCHANGE LIMITED" arising from identical issue which was listed before the Hon'ble Court on 6<sup>th</sup> April, 2015, when the Hon'ble Court has granted leave (Copy of order dated 6<sup>th</sup> April, 2015 is enclosed herewith for reference).

It is also submitted for information of the Hon'ble Court that Civil Appeal No. 10474 of 2014 @ SLP (C) No. 31793 of 2014 @ SLP (C) No...CC 18245 of 2014 entitled "COMMISSIONER OF INCOME TAX vs NATIONAL DAIRY DEVELOPMENT BOARD." referred to as annexure P-6 which was listed before the Hon'ble Court on 19<sup>th</sup> November, 2014, when the Hon'ble Court has granted leave (Copy of order dated 19<sup>th</sup> November, 2014 is annexed as Annexure P-6 at Page no. 159 to 160 of the paper books).

It is also submitted for information of the Hon'ble Court that SLP (C) Nos. 34428-29 of 2013 @ SLP (C) Nos...CC 18976-77 of 2016 entitled "DY. COMMISSIONER OF INCOME TAX & ANR. vs M/S.GODREJ & BOYCE MFG.CO.LTD" arising out of relied upon order which was listed before the Hon'ble Court on 28<sup>th</sup> October, 2013, when the Hon'ble Court has dismissed the same. (Copy of order dated 28<sup>th</sup> October, 2013 is enclosed herewith for reference).

It is also submitted that counsel for the petitioner has filed additional documents as per undertaking letter. Copy of the same has been included in the paper books.

The matter alongwith application above mentioned is listed before Hon'ble Court with this Office Report.

DATED THIS THE 3RD DAY OF AUGUST, 2016.

**ASSISTANT REGISTRAR**

Copy To:-

Mrs. Anil Katiyar, Advocate

**ASSISTANT REGISTRAR**

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