

ITEM NO.13

COURT NO.5

SECTION XI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Diary No(s). 20740/2017

(Arising out of impugned final judgment and order dated 21-12-2016 in WT No. 848/2016 passed by the High Court Of Judicature At Allahabad)

DEPUTY COMMISSIONER OF INCOME TAX

Petitioner(s)

VERSUS

NEW OKHLA INDUSTRIAL DEVELOPMENT AUTHORITY

Respondent(s)

(IA No.71387/2017-CONDONATION OF DELAY IN FILING)

Date : 05-10-2017 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE A.K. SIKRI
HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s) Mr. Ranjit Kumar, SG
Mr. K. Radhakrishnan, Sr. Adv.
Mr. D.L. Chidananda, Adv.
Mr. Merusagar Samantary, Adv.
Ms. Anil Katiyar, AOR

For Respondent(s) Mr. Balbir Singh, Sr. Adv.
Mr. Jasmeet Singh, AOR
Ms. Rubal Maini, Adv.
Ms. Anjali Joshi, (SARC), Adv.
Mr. Naman Joshi, Adv.
Ms. Ruhsheet J. Saluja, Adv.
Mr. Nitesh Shrvastava, Adv.
Ms. Seema Joshi, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Other special leave petitions filed by the Department against the respondent/assessee on the same issue have been dismissed. Therefore, we dismiss this special leave petition also.

At this stage we may record the submissions of the learned

Solicitor General of India to the effect that at least the respondent/assessee should file the return on self-assessment basis and pay the tax accordingly. Learned counsel for the respondent has brought to our notice that this petition pertains to the Assessment Year 2008-09 and the respondent/assessee has already filed the return and paid the tax of Rs.400 crores approximately on self-assessment basis. He further submits that in respect of other assessment years also returns have been filed in the similar manner i.e. for the period from 2004-05 to 2008-09.

Pending application(s), if any, stands disposed of accordingly.

(ASHWANI KUMAR)
COURT MASTER

(MADHU NARULA)
COURT MASTER