

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 18247 OF 2017

(Arising out of SLP (Civil) No. 16732 of 2016)

WULAR TRUST

... Appellant

VERSUS

ADDITIONAL DIRECTOR OF WEALTH

TAX (EXEMPTION) & ORS.

... Respondents

WITH

CIVIL APPEAL NO. 18256 OF 2017

(Arising out of SLP(C) No. 17258/2016)

CIVIL APPEAL NO. 18251 OF 2017

(Arising out of SLP(C) No. 17163/2016)

CIVIL APPEAL NO. 18257 OF 2017

(Arising out of SLP(C) No. 17282 of 2016)

CIVIL APPEAL NO. 18255 OF 2017

(Arising out of SLP(C) No. 17231 of 2016)

CIVIL APPEAL NO. 18258 OF 2017

(Arising out of SLP(C) No. 17322 of 2016)

CIVIL APPEAL NO. 18252 OF 2017

(Arising out of SLP(C) No. 17170 of 2016)

CIVIL APPEAL NO. 18250 OF 2017

(Arising out of SLP(C) No. 17027 of 2016)

CIVIL APPEAL NO. 18254 OF 2017

(Arising out of SLP(C) No. 17179 of 2016)

CIVIL APPEAL NO. 18248 OF 2017

(Arising out of SLP(C) No. 16823 of 2016)

CIVIL APPEAL NO. 18249 OF 2017

(Arising out of SLP(C) No. 16857 of 2016)

CIVIL APPEAL NO. 18253 OF 2017

(Arising out of SLP(C) No. 17178 of 2016)

O R D E R

Leave granted.

Learned senior counsel appearing for the appellants has brought to our notice that for the Assessment Year in question, i.e., 1991-1992, the relief asked for has been granted, whereas, so far as wealth tax is concerned, it has been denied on a ground which is directly contrary to a Madras High Court's judgment and to well settled principles.

Without going into either the Madras High Court's judgment or well settled principles, we are of the view that since in income tax, the assessee has succeeded, the same should enure for wealth tax as well. On this short ground, we allow these appeals and set aside the impugned judgment.

The learned senior counsel appearing for the appellants points out that the return that has been filed ought to be processed as soon as possible so that refunds may be granted to it. We direct the Board to process the aforesaid return within a period of eight weeks from today.

....., J.
[ROHINTON FALI NARIMAN]

....., J.
[SANJAY KISHAN KAUL]

New Delhi;
Nov. 07, 2017.

ITEM NO.23

COURT NO.12

SECTION XIV

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

Petition(s) for Special Leave to Appeal (C) No. 16732/2016

(Arising out of impugned final judgment and order dated 23-03-2016
in WPC No. 2303/2001 passed by the High Court of Delhi at New
Delhi)

WULAR TRUST

Petitioner(s)

VERSUS

ADDL. DIRECTOR OF WEALTH TAX (EXEMPTION) & ORS.

Respondent(s)

WITH

SLP (C) No. 17258/2016 (XIV)
SLP (C) No. 17163/2016 (XIV)
SLP (C) No. 17282/2016 (XIV)
SLP (C) No. 17231/2016 (XIV)
SLP (C) No. 17322/2016 (XIV)
SLP (C) No. 17170/2016 (XIV)
SLP (C) No. 17027/2016 (XIV)
SLP (C) No. 17179/2016 (XIV)
SLP (C) No. 16823/2016 (XIV)
SLP (C) No. 16857/2016 (XIV)
SLP (C) No. 17178/2016 (XIV)

Date : 07-11-2017 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN
HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

For Petitioner(s)

Mr. Jahangir Mistry, Sr. Adv.
Ms. Vasanti Ben Patel, Adv.
Ms. Praveena Gautam, AOR
Mr. Jitesh P.Gupta, Adv.

Ms. Bindu Saxena, Adv.
Ms. Aparajita Swarup, Adv.
Mr. Shailendra Swarup, AOR

For Respondent(s)

Mr. K. Radhakrishnan, Sr. Adv.

C. A. No. 18247/ 2017 etc.
(@ SLP (C) No. 16732/ 2016)

Ms. N. Annapoorani, Adv.
Mr. H. R. Rao, Adv.
Mrs. Anil Katiyar, AOR

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

Leave granted.

The appeals are allowed in terms of the signed order.

(NIDHI AHUJA)
COURT MASTER

(SAROJ KUMARI GAUR)
COURT MASTER

[Signed order is placed on the file.]