

ITEM NO.15

COURT NO.6

SECTION XVI

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

SPECIAL LEAVE PETITION ©..../2017 (Diary No(s). 37517/2017)

(Arising out of impugned final judgment and order dated 24-03-2017 in GA No. 4058/2015 passed by the High Court At Calcutta)

M/S GRAFTON MERCHANTS PRIVATE LIMITED & ANR. Petitioner(s)

VERSUS

INCOME TAX OFFICER WARD 6(2) KOLKATA & ORS. Respondent(s)

(FOR ADMISSION and I.R. and IA No.127033/2017-CONDONATION OF DELAY IN FILING and IA No.127038/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

WITH

Diary No(s). 37249/2017 (XVI)

(IA No.127376/2017-CONDONATION OF DELAY IN FILING and IA No.127377/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Diary No(s). 37245/2017 (XVI)

(FOR ADMISSION and I.R. and IA No.127203/2017-CONDONATION OF DELAY IN FILING and IA No.127204/2017-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 04-12-2017 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. SIKRI

HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s) Mr. Aneesh Mittal, AOR

For Respondent(s)

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

Delay condoned.

In all these cases, we find that the Commissioner of

Income Tax had passed an order under Section 263 of the Income Tax Act, 1961 with the observations that the Assessing Officer did not make any proper inquiry while making the assessment and accepting the explanation of the assessee(s) insofar as receipt of share application money is concerned. On that basis, the Commissioner of Income Tax had, after setting aside the order of the Assessing Officer, simply directed the Assessing Officer to carry thorough and detailed inquiry. It is this order which is upheld by the High Court. We see no reason to interfere with the order of the High Court.

The special leave petitions are dismissed.

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

(B. PARVATHI)
COURT MASTER

(MALA KUMARI SHARMA)
BRANCH OFFICER