

ITEM NO.8

COURT NO.13

SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 40218/2023

(Arising out of impugned final judgment and order dated 05-04-2023 in WPMB No. 18/2023 passed by the High Court Of Uttarakhand at Nainital)

M/S GEE CEE METALS PRIVATE LIMITED (AOP)

Petitioner(s)

VERSUS

PRINCIPAL COMMISSIONER INCOME TAX & ANR.

Respondent(s)

(IA No.255963/2023-CONDONATION OF DELAY IN FILING and IA No.255966/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.255970/2023-CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS)

Date : 13-12-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA

HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) Mr. V. K. Shukla, Sr. Adv.
Mr. Himanshu Shekhar Tripathi, AOR
Mr. Amit Kumar Agrawal, Adv.

For Respondent(s)

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

Shri V. K. Shukla, learned senior counsel appearing for the petitioner submitted that permission may be granted to the petitioner herein to withdraw this Special Leave petition with liberty to make a representation to the Central Board of Direct Taxes (CBDT) under Section 119 of the Income Tax Act, 1961 so as to seek adjustment in view of the rectification made by the Department with regard to the PAN number of the petitioner/entity.

Contd..

- 2-

The submission of learned senior counsel is placed on record.

The Special Leave Petition is dismissed as withdrawn reserving aforesaid liberty to the petitioner.

It is needless to observe that if any representation is made by the petitioner to the CBDT, the same shall be considered expeditiously and in accordance with law and a copy of the order passed thereon shall be communicated to the petitioner herein. Since, the plea made by the petitioner herein in these proceedings was rejected on the ground of delay and not on merits as such, the representation to be made by the petitioner to the CBDT shall be considered on its own merits without being influenced by the impugned order(s).

(NEETU SACHDEVA)
ASTT. REGISTRAR-cum-PS

(MALEKAR NAGARAJ)
COURT MASTER (NSH)