

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 5152 OF 2005

COMMNR. OF INCOME TAX, DELHI

Appellant (s)

VERSUS

MITSUI & CO. LTD. & ANR.

Respondent(s)

WITH
Civil Appeal No. 1775 of 2006(For Prel. hearing)
(With prayer for interim relief and O/R)
Civil Appeal No. 1782 of 2006 (For Prel. hearing)
(With office report)
Civil Appeal No. 1776 of 2006(For Prel. hearing)
- With appln. for permission to file addl. documents and with office report)
Civil Appeal No. 1778 of 2006 (For Prel. hearing)
(With office report)
Civil Appeal No. 1780 of 2006 - With appln. for permission to file addl.
documents and with office report
Civil Appeal No. 1786 of 2006 (For Prel. hearing)
Civil Appeal No. 1783 of 2006 (For Prel. hearing)
Civil Appeal No. 1785 of 2006 (For Prel. hearing)
Civil Appeal No. 1787 of 2006 (For Prel. hearing)
Civil Appeal No. 1789 of 2006 (For Prel. hearing)
Civil Appeal No. 1791 of 2006 (For Prel. hearing)
Civil Appeal No. 1792 of 2006 (For Prel. hearing)
(With office report)
Civil Appeal No. 1793 of 2006 - With office report
Civil Appeal No. 1794 of 2006 (For Prel. hearing)
Civil Appeal No. 1795 of 2006 (For Prel. hearing)
Civil Appeal No. 1796 of 2006 (For Prel. hearing)
Civil Appeal No. 1784 of 2006 (For Prel. hearing)
Civil Appeal No. 1920 of 2006 (For Prel. hearing)
(with office report)
Civil Appeal No. 2187 of 2006 (For Prel. hearing)
- With appln. for impleadment as petitioner and with office report
Civil Appeal No. 2192 of 2006 (For Prel. hearing)
Civil Appeal No. 2211 of 2006 (For Prel. hearing)
Civil Appeal No. 2210 of 2006 (For Prel. hearing)
(with office report)

Civil Appeal No. 2480 of 2006 (For Prel. hearing)
Civil Appeal No. 4293 of 2006 (For Prel. hearing)

Civil Appeal No. 4624 of 2006 (For Prel. hearing)
(with office report)
Civil Appeal No. 5263 of 2006
Civil Appeal No.5646 of 2006 (For Prel. hearing)(with office report)
SLP(C) NO. 21443 of 2006 - With appln. for c/delay in filing SLP and
with office report
Civil Appeal No. 107 of 2007 (For Prel. hearing)
Civil Appeal No. 161 of 2007 (For Prel. hearing)
Civil Appeal No. 159 of 2007 (For Prel. hearing)
Civil Appeal No. 156 of 2007 (For Prel. hearing)
Civil Appeal No. 352 of 2007 (For Prel. hearing)
(with office report)
Civil Appeal No. 428 of 2007 - With office report
Civil Appeal No. 434 of 2007 (For Prel. hearing)
Civil Appeal No. 342 of 2007 (For Prel. hearing)
Civil Appeal No. 344 of 2007 (For Prel. hearing)
Civil Appeal No. 343 of 2007 (For Prel. hearing)

Civil Appeal No. 345 of 2007 (For Prel. hearing)
Civil Appeal No. 346 of 2007 (For Prel. hearing)
Civil Appeal No. 349 of 2007 (For Prel. hearing)
Civil Appeal No. 347 of 2007 (For Prel. hearing)
(with office report)
SLP(C) Nos. 3768-3771 of 2007 - With appln. for c/delay in filing
SLPs. and with office report
Civil Appeal No. 816 of 2007 (For Prel. hearing)
Civil Appeal No. 785 of 2007 (For Prel. hearing)- With office report
Civil Appeal Nos. 1348, 1357 (for prel. hearing), 1345, 1355 (for prel. hearing),
1352, 1351 (for prel. hearing), 1354 (for prel. hearing) and 1346 of 2007 (for
prel. hearing) - With appln. for amendment of cause title and with office report
Civil Appeal No. 1343 of 2007 (For Prel. hearing)-with office report
SLP(C) No. 3946 & 3947 of 2007 - With appln. for amendment of cause title
and with office report
SLP(C) No. 5536 of 2007 - With office report
Civil Appeal No. 1634 of 2007
(with appln(s) for permission to file additional documents and office report)
Civil Appeal No. 1956 of 2007 (For Prel. hearing)
Civil Appeal No. 1948 of 2007 (For Prel. hearing)
Civil Appeal No. 1943 of 2007 (For Prel. hearing)
Civil Appeal No. 1939 of 2007 (For Prel. hearing)
Civil Appeal No. 1961 of 2007 (For Prel. hearing)
(with office report)
SLP(C) No.5646 of 2007

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SLP(C) No. 7021 of 2007 - With office report
Civil Appeal No. 2121 of 2007 (For Prel. hearing)
Civil Appeal No.2294 of 2007 (For Prel. hearing)(with office report)

Civil Appeal No. 2292 of 2007 - With office report
Civil Appeal No. 2295 of 2007 (For Prel. hearing)
Civil Appeal No. 2293 of 2007 (For Prel. hearing)
(with office report)
SLP(C) No. 9641 of 2007 - With appln. for c/delay in filing SLP and
with office report
SLP(C) No. 9637 of 2007 - With appln.for exemption from filing c/c
of the impugned judgment and with office report
Civil Appeal No. 3211 of 2007 - With office report
Civil Appeal No. 3524 of 2007 - With office report
Civil Appeal No. 3543 of 2007 - With office report
Civil Appeal No. 3128 of 2007 (For Prel. hearing)
- With prayer for interim relief
Civil Appeal No. 4173 of 2007 - With office report
Civil Appeal No. 3801 of 2007 - With office report
Civil Appeal No. 4516 of 2007 - With office report
Civil Appeal No. 4517 of 2007 - With office report
Civil Appeal No. 5114 of 2007 - With office report
Civil Appeal No. 3212 of 2007 - With office report
Civil Appeal No. 3124 of 2007 - With office report
Civil Appeal No. 3126 of 2007 - With office report
Civil Appeal No. 5110-5111 of 2007 - with office report
Civil Appeal No. 264 of 2008 - With office report
Civil Appeal No. 293 of 2008 - With office report
Civil Appeal No. 292 of 2008 - With office report
Civil Appeal No. 4477 of 2007
Civil Appeal No. 3633 of 2007 (for prel.hearing)- With office report
Civil Appeal No. 4175 of 2007 - With office report
Civil Appeal No. 4082 of 2007 - With office report
Civil Appeal No. 1037 of 2008 - With appln. for c/delay in filing
SLP and with office report
Civil Appeal No. 3523 of 2007 - With office report
Civil Appeal No. 3890 of 2007 - With office report
Civil Appeal No. 1462 of 2008 - With appln(s) for c/delay in refiling SLP and
office report
Civil Appeal No. 5288 of 2007 - With office report
Civil Appeal No. 5295 of 2007 - With office report

Civil Appeal No. 5986 of 2007 - With office report
Civil Appeal No. 5742 of 2007 - With office report
SLP(C) No. 10376 of 2008 - With office report

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SLP(C) No. 10377 of 2008 - With appln. for c/delay in filing SLP and
with office report
Civil Appeal No. 5749 of 2007 - With office report
Civil Appeal No. 3840 of 2007 - With office report
Civil Appeal No. 3587 of 2007 - With office report
Civil Appeal No. 3616 of 2007(for prel. hearing) With office report
SLP(C) No...CC 12522 of 2008 - With appln. for c/delay in filing SLP

Civil Appeal No.3271/2007
Civil Appeal No.3213/2007 (with office report)
SLP(C) No...CC 13873 of 2008 - With appln. for c/delay in filing SLP
and with office report (for final disposal)
SLP(C) No.../2008 CC 17528 - with IA 1 (c/delay in filing SLP)
SLP(C) No.27329/2008
with IA 1 (c/delay in filing SLP & office report)
Civil Appeal No. 1769 of 2006 - With office report
SLP(C) No.../2008 cc 17118
with IA 1 (c/delay in filing SLP & office report)
SLP(C).../2008 CC 17308
with IA 1 (c/delay in filing SLP & office report)[For directions]
WITH
SLP(C)No.1953/2009 - With office report (for final disposal)
SLP(C)No.2621/2009 - With appln. for c/delay in filing SLP & O/Report
(For final disposal)
WITH
SLP(C)NOS...CC 16872-16873/2008 - with appln. for c/delay in filing &
refiling SLP and with office report

Date: 10/02/2009 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA
HON'BLE MR. JUSTICE H.L. DATTU

For Appellant(s) Mr. Parag P.Tripathi, ASG
Mr. V. Shekhar, Sr.Adv.
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Mr. Kailash Pandey, Adv.
Mr. Kunal Bahri, Adv.
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Ms. Sadhna Sandhu, Adv.
Mr. B.V. Balaram Das, Adv.
Mr. D.S.Mahra, Adv.

in CC.16872-73/08: Mr. Parag Tripathi, ASG.
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Mr. Kunal Bahri, Adv.
Mr. Varun Sarin, Adv.

Mr. Rahul Kaushik, Adv.
Ms. Sadhna Sandhu, Adv.

For Respondent(s) Mr. M.S. Syali, Sr.Adv.
in CA 5152/05, 1782, Ms. Mahua Kalra, Adv.
1785,1787,1789,1791, Mr. R.S. Suri,Adv.
1792,1795-96, 1784, Mr. Jagjit Singh Chhabra, Adv.
1920,2187,5263/06, Mr. P.V.Yogeswaran, Adv.
816,3524,3543,3801, Ms. Vidushi, Adv.
3212,5110-11,3633, Mr. Peeyoosh Kalra, Adv.
4175,3523,3890,3840,
3616,3271,3213/07 &
1769/06. SLP 21443/06,
10376 & 10377/08

In CA 1793/2006: Mr. Dhruv Mehta, Adv.
Mr. Yashraj Singh Deora, Adv.
Mr. Mohit Abraham, Adv.
Mr. Sanjay Kochhar, Adv. for
M/s K.L.Mehta & Co.

Mr. Salil Kapoor, Adv.
Mr. S.Kapoor, Adv.for
Mr. Kamal Mohan Gupta, Adv.

Mr. C.S. Agarwal, Sr.Adv.
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Mr. Rahul Gupta, Adv.
Ms. Reema Sharma, Adv.

Mr. Ajay Vohra, Adv.
Mr. Kamal Sawhaney, Adv.
Mr. Narhari Singh, Adv.for
Mr. Vikas Mehta, Adv.

In CA 1783/2006: Mrs. Vanita Bhargava, Adv.
Mrs. Nupur Mukherjee, Adv.
Mr. Ajay Bhargava, Adv.
Mr. N.Ganpathy, Adv.

Ms. Rachana Srivastava, Adv.

In CA 1776/2006: Dr. Manish Singhvi, Adv.
Mr. P.V. Yogeshwaran, Adv.
Mr. Sandeep Bajaj, Adv.
Mr. Ambhoj Kumar Sinha, Adv.
Ms. Nidhi Minocha, Adv.
Ms. Sangeeta Bharti, Adv.
Ms. Jasneet Kaur, Adv.
Mr. Vivek Kishore, Adv.for
Mr. Subramonium Prasad, Adv.

Mr. Rajinder Mathur, Adv.

In CA 1786/2006 etc. Mr. Ajay Vohra, Adv.
Ms. Kavita Jha, Adv.
Mr. Sandeep S.Karhail, Adv.
Ms. Akansha Aggarwal, Adv.

In 7021 & 2121/07: Mr. Alok Mahajan, Adv.
Mr. P.N.Gupta, Adv.

In CA 3128/2007: Mr. TLV. Iyer, Sr.Adv.
Mr. T.R.Talwar, Adv.
Mr. R.K.Raghavan, Adv.
Mr. K.V.Mohan, Adv.

In CA 4477/2007: Mr. Sanjeev Kumar, Adv.
Mr. Abhinesh Menon, Adv.
Mr. Kumar Mihir, Adv.for
M/s. Khaitan & Co.

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In SLP 9637/2007 Mr. T.N.Chopra, Adv.
Mr. Nikhil Nayyar, Adv.
Mr. T.V.S.Raghavendra Sreyas, Adv.
Mr. Ambuj Agrawal, Adv.

In CA 352/2007 Mrs. Amita Duggal, Adv.
Mr. Rajiv Mehta, Adv.
Mr. Ahanthem Henry, Adv.

UPON hearing counsel the Court made the following
ORDER

List on 17th February, 2009, first on Board, subject to overnight part
heard.

(S. Thapar)
P.S. to Registrar

(Madhu Saxena)
Court Master