

ITEM NO.1-5

COURT NO.4

SECTION IIIA

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 & 1778 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. 1780 of 2006
(With appln. for permission to file addl. documents and with office report)Civil Appeals Nos. 1786, 1783, 1785, 1787, 1789, 1791,1792 of 2006 (For
Prel. hearing) (With Office report)Civil Appeal No. 1793 of 2006
(With office report)Civil Appeal No. 1794, 1795, 1796, 1784, 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, 2211, 2210, 2480, 4293, 4624, 5646 of 2006
(For Prel. hearing)(with office report)

Civil Appeal No. 5263 of 2006

SLP(C) NO. 21443 of 2006
(With appln. for c/delay in filing SLP and office report)Civil Appeal No. 107, 161, 159, 156, 352 of 2007
(For Prel. hearing) (with office report)

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Civil Appeal No. 428 of 2007
(With office report)Civil Appeal No. 434, 342, 344, 343, 345, 346, 349, 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 office report)Civil Appeal No. 816, 785, 1357, 1355, 1351, 1354 of 2007
(For Prel. hearing)(With office report)

Civil Appeal Nos. 1348, 1345 of 2007

Civil Appeal No. 1352 of 2007

Civil Appeal No. 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 Nos. 1956, 1948, 1943, 1939, 1961 of 2007
(For Prel. hearing) (With office report)

SLP(C) No.5646 of 2007 & SLP(C) No. 7021 of 2007
(With office report)

Civil Appeal No. 2121 & 2294 of 2007 (For Prel. hearing)
(With office report)

Civil Appeal No. 2292 of 2007
(With office report)

Civil Appeal No. 2295, 2293 of 2007 (For Prel. hearing)
(With office report)

SLP(C) No. 9641 of 2007
(With appln. for c/delay in filing SLP and office report)

SLP(C) No. 9637 of 2007

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(With appln.for exemption from filing c/c of the impugned judgment and with
office report)

Civil Appeal No. 3211, 3524, 3543 of 2007
(With office report)

Civil Appeal No. 3128 of 2007 (For Prel. hearing)
(With prayer for interim relief)

Civil Appeals No. 4173, 3801, 4516, 4517, 5114, 3212, 3124,
3126, 5110-5111 of 2007
(With office report)

Civil Appeal No. 264, 293, 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, 4082 of 2007
(With office report)

Civil Appeal No. 1037 of 2008
(With office report)

Civil Appeal No. 3523, 3890 of 2007
(With office report)

Civil Appeal No. 1462 of 2008
(With office report)

Civil Appeal No. 5288, 5295, 5986, 5742 of 2007
(With office report)

SLP(C) No. 10376, 10377 of 2008
(With office report)

Civil Appeal No. 5749, 3840,3587 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 & 3213/2007

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(With office report)

SLP(C) No...CC 13873 of 2008
(With appln. for c/delay in filing SLP and office report)
(for final disposal)

SLP(C) No.../2008 CC 17528
(With appln.(s) for c/delay in filing SLP)

S.L.P.(C) No.27329/2008
(With appln. for c/delay in filing SLP & office report)

Civil Appeal No. 1769 of 2006
(With office report)

S.L.P.(C) No..../2008 cc 17118
(With appln.(s) for c/delay in filing SLP & office report)

S.L.P.(C).../2008 CC 17308
(With appln.(s) for c/delay in filing SLP & office report)
[For directions]

S.L.P(C) No.1953/2009
(With office report)](for final disposal)

S.L.P.(C)No.2621/2009
(With appln. for c/delay in filing SLP and office report)
(For final disposal)

S.L.P.(C) Nos.....CC 16872-16873/2008
(With appln. for c/delay in filing & refiling SLP and with office report)

AND

S.L.P.(C) No.8879 of 2008 (Item No.2)
(C.I.T., Delhi Vs. M/s. Woodward Governer India Ltd.)
(With appln.(s) for c/delay in filing SLP and with prayer for
interim relief and office report)(FOR FINAL DISPOSAL)

S.L.P.(C) No.28553 of 2008 (Item No.3)
S.L.P.(C).....CC 1584 of 2009 (Item No.4)
(Director of Income Tax Vs. Bank of Tokyo Mitsubishi Ltd.)

(With appln. for c/delay in filing SLP)(FOR FINAL DISPOSAL)

S.L.P.(C).....CC 1598-1599 of 2009 (Item No.5)
(C.I.T. Vs. M/s. Nicheman Corporation)
(With appln.(s) for c/delay in filing SLP and c/delay in refiling
SLP and office report)

1634/07 & | Mr. Bhargava V. Desai, Adv.
 SLP 8879/08: | Mr. Rahul Gupta, Adv.
 | Ms. Reema Sharma, Adv.
 | Mr. Ravi Kumar, Adv.

in CA 5646/06: Mr. Ambhoj Kumar Sinha, Adv.
 Mr. Rakesh Gupta, Adv.
 Mr. Ashwani Taneja, Adv.

in CA 1786/06: Mr. Ajay Vohra, Adv.
 Mr. Kamal Sawhney, Adv.
 Mr. Vikas Mehta, Adv.
 Mr. Narhari Singh, Adv.

in SLP 9637/07: Mr. T.N. Chopra, Adv.
 Mr. Nikhil Nayyar, Adv.
 Mr. T.V.S. Raghavendra Sreyas, Adv.
 Mr. Ambuj Agrawal, Adv.

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

in CA 3128/07: Mr. T.L.V.Iyer, Sr.Adv.
 Mr. T.R. Talwar, Adv.
 Mr. R.K. Raghavan, Adv.
 Mr. K.V. Mohan, Adv.

in CA 107/07: Ms. Nidhi Minocha, Adv.
 Ms. Sangeeta Bharti, Adv.
 Mr. Vivek Kishore, Adv.
 Ms. Ruchi Gaur Narula, Adv.
 Mr. Subramonium Prasad, Adv.

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in CA 352/07: Ms. Ameeta Duggal, Adv.
 Mr. Rajiv Mehta, Adv.

in CAs.4477&3587/08: Mr. Sanjeev Kumar, Adv.
 Mr. Avinash Menon, Adv.
 Mr. Shabyashachi Patra, Adv.
 for M/s. Khaitan & Co., Advs.

SLPs.7021&2121/07: Mr. Alok Mahajan, Adv.
 Mr. P.N. Gupta, Adv.
 Mr. Vaibhav Jain, Adv.

CAs.1778/06, | Mr. Ajay Vohra, Adv.
 SLP 28553/08, | Ms. Kavita Jha, Adv.
 1953,2621/09, |
 CC 17118, 17308/08: |

CAs.1348,1357,1345, | Mr. Ajay Vohra, Adv.
 1355,1352,1351,1354, | Ms. Kavita Jha, Adv.
 1346/07,SLP 3946/09: |

CAs.5114,5752,4516, | Mr. Ajay Vohra, Adv.
 4517,5295,5986,5228 | Ms. Kavita Jha, Adv.
 of 2007, 264,292, |
 1037,1462/08: |

in CA 1786/06: Mr. Ajay Vohra, Adv.
 Ms. Kavita Jha, Adv.
 Ms. Rachana Srivastava, Adv.

In SNECMA Matters & | Mr. Kannan Kapur, Adv.
 Alcatel South Asia | Mr. Rajinder Mathur, Adv.

Pacific Matters: |

UPON hearing counsel the Court made the following

ORDER

Mr.Parag P. Tripathi, learned Additional Solicitor General, appearing for the Department, commenced his arguments at 10.30 a.m. and concluded at 2.35 p.m. Thereafter, Mr.M.S.Syali, learned senior counsel appearing for the respondents, made his submissions upto 3.30 p.m. Thereafter, Mr.C.S.Agarwal, learned senior counsel, made his submissions upto 3.55 p.m. Mr.S.Ganesh, learned senior counsel, appearing for M/s. Ericsson Telephone Corpn. of India, commenced his

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arguments and was on his legs when the Court rose for the day.

The matters remained part-heard.

(N. Annapurna)	(S. Thapar)	(Madhu Saxena)
Court Master P.S. to Registrar		Court Master