

ITEM NO.29

COURT NO.8

SECTION IIIA

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).....CC No(s).
16916/2016

(Arising out of impugned final judgment and order dated 09/05/2016
in WT No. 388/2016 passed by the High Court Of Judicature at
Allahabad)

ABID ALI KHAN

Petitioner(s)

VERSUS

INCOME TAX OFFICER WARD -3(1) BULANDSHAHR AND ORS. Respondent(s)

I.A. 1/2016 (with c/delay in filing SLP)

Date : 21/10/2016 This application was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Petitioner(s) Mr. Sanjeev Sabharwal, Sr. Adv.
Mr. Rajiv K. Garg, Adv.
Mr. Ashish Garg, Adv.
Mr. Vineet Garg, Adv.
Mr. T. L. Garg, Adv.

For Respondent(s)

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

Delay condoned.

It appears that the High Court has omitted to take note of
the explanation under Section 246 of the Income Tax Act.
Therefore, we are of the view that the petitioner should be
granted liberty to approach the High Court by way of a Review
Petition.

We permit the petitioner to file a Review Petition before
the High Court within one month from today, in which case, the
High Court shall consider the matter on merits.

In view of the above, the Special Leave Petition is disposed of.

Pending interlocutory applications, if any, are disposed of.

(Jayant Kumar Arora)
Court Master

(Renu Diwan)
Assistant Registrar