

ITEM NO.34

COURT NO.5

SECTION IV-A

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

Petition(s) for Special Leave to Appeal (C) No(s). 766/2015

(Arising out of impugned final judgment and order dated 01-08-2014 in ITA No. 1075/2008 passed by the High Court Of Karnataka At Bengaluru)

THE COMMISSIONER OF INCOME TAX III & ANR.

Petitioner(s)

VERSUS

M/S MPHASIS LTD.
(FORMERLY KNOWN AS MPHASIS BFL LTD.)

Respondent(s)

Date : 13-11-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE R. BANUMATHI
HON'BLE MR. JUSTICE A.S. BOPANNA

For Petitioner(s) Mr. Vikramjit Banerjee, ASG
Mr. Ashok K. Srivastava, Sr. Adv.
Ms. Niranjana Singh, Adv.
Mr. Ashok Pangrahi, Adv.
Mr. Sudhakar Kulwant, Adv.
Mrs. Anil Katiyar, AOR

For Respondent(s) Mr. Parcy Pardiwala, Sr. Adv.
Mr. T. Suryanaran, Adv.
Ms. Yugandhara Pawar Jha, Adv.
Mr. Kunal Verma, AOR

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

The instant petition is filed by the petitioner-Revenue assailing the judgment dated 01.08.2014 passed by the High Court of Karnataka at Bangalore in I.T.A. No.1075 of 2008.

When the petition is taken up for consideration, Mr. Vikramjit Banerjee, learned Additional Solicitor General appearing for the petitioner-Revenue, and Mr. Parcy Pardiwala, learned senior counsel appearing for the respondent, are in agreement that

SLP(C)No.2373/2015 preferred by the Revenue in respect of connected ITA NO.196 of 2009 which was disposed of by the very same common Order dated 01.08.2014, was dismissed by this Court on 28.01.2019 having taken note similar grounds raised in the special leave petition.

Hence taking note of the fact that in respect of common judgment this Court has already dismissed SLP(C)No.2373 of 2015 relating to the Assessment Year 2004-2005 and in the present case except that issue relates to Assessment year 2003-2004 all other aspects are on the very same point, we are not inclined to entertain the instant petition.

Accordingly, the special leave petition shall stand dismissed.

Pending applications, if any, shall also stand disposed of.

(MAHABIR SINGH)
COURT MASTER (SH)

(NISHA TRIPATHI)
BRANCH OFFICER