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Case Description: P.Sathasivam, CJI. Order dated 29.06.2012 passed by the High Court of Judicature at Bombay in Criminal Writ Petition No. 220 of 2010 wherein the High Court quashed the criminal proceedings against Alok Ranjan-Respondent No.3 herein (writ petitioner in the High Court) in C.C. No. 1036/CPW/2008 pending before the Metropolitan Magistrate, 19th Court, Esplanade, Mumbai. 3) Brief facts: (a) The appellant, an Indian Revenue Service Officer, joined National Agricultural Co-

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Clear Preview

Legal Statute Identification

- Legal Sections: Section 120B of the Indian Penal Code, 1860 Sections 409, 411, 420, 467, 468 and 471 of the Indian Penal Code, 1860 Section 482 of the Code of Criminal Procedure, 1973 Article 226/227 of the Constitution of India Section 21 of the High Court.

Semantic Segmentation

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Summary

The case in question is P.Sathasivam, CJI. v. Alok Ranjan, Criminal Writ Petition No. 220 of 2010, heard before the High Court of Judicature at Bombay. The case involves the quashing of criminal proceedings against Alok Ranjan, the Respondent No.3 (writ petitioner in the High Court) in C.C. No. 1036/CPW/2008 pending before the Metropolitan Magistrate, 19th Court, Esplanade, Mumbai. The appellant in the case is an Indian Revenue Service Officer who joined National Agricultural Co-operative Marketing Federation of India Ltd. (NAFED) on deputation on 15.07.2003 as an Executive Director. The respondent, Alok Ranjan, was the Chairman of NAFED from 15.07.2003 to 31.03.2006. The issues discussed in the case include the following: 1. Whether the respondent was liable to pay tax on the salary received from NAFED during the period of his deputation, even if he was not a permanent employee of N The case in question is NAFED v. Commissioner of Income Tax, Delhi, Assessment Year 2003-04. The case revolves around the assessment of the Respondent No. 3, Alok Ranjan, who was appointed as the Managing Director of the National Agricultural Marketing Federation of India Ltd. (NAFED) on 15.07.2003. The Respondent No. 3 approved the first Non-agricultural tie-up of NAFED on 13.10.2003 in order to diversify NAFED's business activities to cope up from severe financial crunch. The Assessee argued that the income from the Non-agricultural tie-up was not taxable as it was not a business activity and was done to compensate the losses being made on trading of agricultural items. The Assessing Officer argued that the income from the Non-agricultural tie-up was taxable as it was a business activity and was done to generate profits. The court referred to the provisions of Section 28 of the Income-tax Act, 1961, which states that any income from business or profession is taxable. The court also referred to the past case laws of CIT v. K.P. Varghese (1981) 131 ITR 597. The case in question is NAFED vs. ITO, Assessment Year 2004-05. The case revolves around the assessment of the National Agricultural Cooperative Marketing Federation of India Ltd. (NAFED) for the assessment year 2004-05. The Income Tax Officer (ITO) had raised a demand of Rs. 1,00,00,000/- on NAFED for the assessment year 2004-05. NAFED had challenged the demand before the Delhi High Court. The facts of the case are as follows: NAFED had entered into a contract with M/s Swarup Group of Industries (SGI) for the purpose of setting up a cold storage facility. The contract was approved by

Court Judgement Prediction : NA