

Kotak Mahindra Bank Ltd. vs The Commissioner Of Income Tax on 10 March, 2021

Bench: D.Y. Chandrachud, M.R. Shah

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ITEM NO.6+9

Court 6 (Video Conferencing)

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

Civil Appeal No(s).7210/2012

KOTAK MAHINDRA BANK LTD.

Appellant(s)

VERSUS

THE COMMISSIONER OF INCOME TAX & ANR.

Respondent(s)

WITH

C.A. No. 4952/2015 (IV-A)

C.A. No. 4951/2015 (IV-A)

C.A. No. 654/2016 (IV-A)

C.A. No. 10217/2016 (XIV-A)

SLP(C) No. 23678/2017 (XIV)

C.A. No. 2916/2018 (XIV-A)

SLP(C) No. 11607/2018 (XIV)

C.A. No. 8326/2018 (III)

C.A. No. 9800/2018 (III)

C.A. No. 8992/2018 (XIV-A)

C.A. No. 10666/2018 (III)

C.A. No. 11337/2018 (III)

C.A. No. 5260/2019 (IV-A)

C.A. No. 5259/2019 (IV-A)

C.A. No. 5837/2019 (IV-A)

C.A. No. 5838/2019 (IV-A)

SLP(C) No. 3425/2021 (IX)

Signature Not Verified

(WITH I.R. and IA No.34098/2020-CONDONATION OF DELAY IN FILING and
Digitally signed by
Sanjay Kumar
Date: 2021.03.10

IA No.34101/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED
17:19:52 IST
Reason:

JUDGMENT)

Diary No(s). 13115/2020 (XI-A)
(WITH IA No.86582/2020-CONDONATION OF DELAY IN FILING and IA
2

No.86583/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

C.A. No. 4133/2020 (IV-A)
(WITH I.A. Nos. 16280, 16294, 16270 & 16286/2021 in C.A. No.4133,
4134, 4135 & 4140/2020 (Application for permission to file
amendment of Cause Title., IA No. 16280/2021 - APPLICATION FOR
PERMISSION)

C.A. No. 4134/2020 (IV-A)
(WITH I.A. No. 16294/2021 (Application for permission to amendment
of Cause Title, IA No. 16294/2021 - APPLICATION FOR PERMISSION)

C.A. No. 4135/2020 (IV-A)
(WITH I.A. No. 16270/2021 (Application for permission to amendment
of Cause Title, IA No. 16270/2021 - APPLICATION FOR PERMISSION)

C.A. No. 4140/2020 (IV-A)
(WITH I.A. Nos. 16286/2021 (Application for permission to amendment
of Cause Title, IA No. 16286/2021 - APPLICATION FOR PERMISSION)

C.A. No. 296/2021 (IV-A)
(WITH I.R. and IA No.2075/2021-EXEMPTION FROM FILING C/C OF THE
IMPUGNED JUDGMENT)

SLP(C) No.15565/2020 (IV-A)
(WITH I.R.)

Date : 10-03-2021 These matters were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE M.R. SHAH

For Appellant(s) Mr. Farrokh V. Irani, Adv.
 Mr. D. Bharat Kumar, Adv.
 Mr. Tadimalla Bhaskar Gowtham, Adv.
 Mr. Aman Shukla, Adv.
 Mr. Hathindra Manda, Adv.
 Mr. Abhijit Sengupta, AOR

 Mr. Balbir Singh, ASG
 Mr. N. Venkataraman, ASG
 Mr. Sreekumar C N, Adv.
 Mr. H.R. Rao, Adv.
 Ms. Swarupama Chaturvedi, Adv.
 Mrs. Anil Katiyar, AOR

For Respondent(s) Mr. Balbir Singh, ASG
 Mr. N. Venkataraman, ASG
 Mr. Sreekumar C N, Adv.
 Mr. H.R. Rao, Adv.
 Ms. Swarupama Chaturvedi, Adv.
 Mrs. Anil Katiyar, AOR

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 Mr. Pradeep Kumar Bakshi, AOR

 Mr. Naveen R. Nath, AOR
 Ms. Hetu Arora Sethi, Adv.
 Ms. Lalit Mohini Bhat, Adv.
 Mr. Abhimanyu Verma, Adv.
 Mr. Rahul Jain, Adv.

 Mr. Badri Prasad Singh, AOR

 Mr. Kunal Verma, AOR

 Mr. K. V. Mohan, AOR
 Mr. R.K. Raghavan, Adv.
 Mr. K.V. Balakrishnan, Adv.

 Mr. Sanjay Kapur, AOR
 Ms. Megha Karnwal, Adv.
 Mr. VM. Kannan, Adv.
 Mr. Sambit Panja, Adv.
 Mr. Arjun Bhatia, Adv.

UPON hearing the counsel the Court made the following

O R D E R

1 List the Civil Appeals and Special Leave Petitions on 24 March 2021. 2 Mr Balbir Singh, learned Additional Solicitor General, states that some of the defects which have been noticed in the office report shall be attended to in the meantime.

3 Learned Additional Solicitor General is permitted to file a convenience compilation. Before doing so, he shall share the index of the compilation with the learned counsel appearing on behalf of the contesting parties so as to enable him to include such further material as the respondents seek to rely on in a separate compilation.

4 Learned counsel appearing on behalf of the contesting parties shall file their brief notes of submissions at least three days before the next date of listing which shall also be emailed at cmvc.dyc@gmail.com. 5 Mr Kunal Verma, learned counsel appearing on behalf of the respondent in Civil Appeal No 4134 of 2020 and Civil Appeal No 4135 of 2020, accepts notice. 6 Counter affidavit(s) be filed in the meanwhile.

Civil Appeal No 8992 of 2018 and Civil Appeal No 4140 of 2020 1 Learned Additional Solicitor General states that two of the Civil Appeals listed in the present batch, namely Civil Appeal No 8992 of 2018 and Civil Appeal No 4140 of 2020, raise distinct questions arising under Section 14A of the Income Tax Act 1961 and hence, these Civil Appeals may be detagged. 2 Mr Kunal Verma, learned counsel appearing on behalf of the respondent in Civil Appeal No 4140 of 2020 has no objection to the order of detagging being passed.

3 Civil Appeal Nos 8992 of 2018 and 4140 of 2020 are detagged accordingly. 4 List these Civil Appeals after four weeks.

5 Counter affidavit(s) be filed in the meantime.

(SANJAY KUMAR-I)
AR-CUM-PS

(SAROJ KUMARI GAUR)
COURT MASTER