

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Counter not filed.

Registrar

By
19/7/02

22.07.02

The parties are absent on call. No steps taken by them to file counter. Therefore, put up before the Bench for further orders.

~~M~~
22/7/2002
REGISTRAR

Counter not filed.

Bench

By
13/8/02

Counter filed. Copy not served.

Bench

By
3/10/02

Rejoinder not filed.

Bench

By
25/10/02

For admissions and hearing.

Bench

Order dt. 11.12.2002

Rejoinders filed today after securing copy of the other side. Call on 18.12.2002 for final disposal.

~~Member~~

Order dated 18.12.02

None appears for either of the parties. Call this matter for final disposal after showing it in the Ready list.

~~Member (J)~~

Order dated 2.4.2003

Heard Shri P.K.Padhi, learned counsel for the applicant and Shri A.K.Bose, learned Sr.Standing Counsel for the Respondents and perused the materials available on record.

Shri K.K.Ghosh (applicant) has filed this Original Application seeking direction to Respondents (particularly Res. No.2) as under :

- i) To supply the applicant copies of communication made by the Income Tax Officer, Keonjhar/Addl. Commissioner, Income Tax, Rourkela Range, Rourkela basing on the remarks in connection with applicant's ACR for the year 1995-96;
- ii) copies of representations on the said communications; and
- iii) order of the Addl. Commissioner of Income Tax, Rourkela Range, Rourkela on applicant's representation

By
10/12/02

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

For admission and hearing.

Bench

My 22/12/02

For admission and hearing.

Bench

My 1/4/03

Copy of order dt. 2.4.03 issued to the counsel for both side.

My 2/4/03

My 2/4/03

The applicant has further submitted that he approached the Respondents for supply of copies of those communications as those were misplaced by him during super cyclone, which affected life in this part of the country. He had approached the Respondents in this regard vide his letter dated 13.11.2001 (Annexure-2). The Respondents informed him vide their letter dated 8.5.2002 (Annexure-R/2) that they had taken up the matter with Central Board of Direct Taxes for clarification whether the request of the applicant could be acceded to. After receipt of the clarification, they have further stated, that applicant's request for supply of copy would be considered. Since then the matter has remained within correspondence and in the meantime, the applicant has filed this O.A. seeking direction, as referred to earlier.

It reveals from the submission made by the Respondents under Annexure-R/2 that the matter is pending clarification from the Central Board of Direct Taxes for about a year. This delay in communication has resulted in this litigation which could have been avoided by the Respondents themselves. As the applicant has asked for copies of correspondences made between the Respondents and him on the ground that he has lost these documents during super cyclone, which hit Bhubaneswar and that being a fact of life, the Respondents should have no problem in acceding to the request of the applicant in no time. In the said premises, I direct the Respondents (Res.No.2) to make available the copies of documents as listed in the O.A. ^{as quoted above} within a period of 30 (thirty) days from the date of receipt of copies of this order.

The O.A. is disposed of as above. No costs.

Signature
VICE-CHAIRMAN