

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**INCOME TAX APPEAL NO.2104 OF 2011
WITH
NOTICE OF MOTION NO.3016 OF 2016
IN
INCOME TAX APPEAL NO.2104 OF 2011**

The Director of Income Tax
(International Taxation) II

....Appellant

V/s.

Lucent Technologies GRL LLC

....Respondent

**WITH
INCOME TAX APPEAL NO.897 OF 2014
WITH
NOTICE OF MOTION NO.947 OF 2017
IN
INCOME TAX APPEAL NO.897 OF 2014
WITH
INCOME TAX APPEAL NO.915 OF 2014
WITH
NOTICE OF MOTION NO.949 OF 2017
IN
INCOME TAX APPEAL NO.915 OF 2014
WITH
INCOME TAX APPEAL NO.947 OF 2014
WITH
INTERIM APPLICATION (L) NO.6874 OF 2020
IN
INCOME TAX APPEAL (L) NO.3695 OF 2018
WITH
INTERIM APPLICATION (L) NO.6920 OF 2020
IN
INCOME TAX APPEAL (L) NO.3081 OF 2018
WITH
INTERIM APPLICATION (L) NO.6924 OF 2020
IN
INCOME TAX APPEAL (L) NO.3693 OF 2018
WITH
INCOME TAX APPEAL NO.611 OF 2020
WITH
INCOME TAX APPEAL NO.621 OF 2020
WITH
INCOME TAX APPEAL NO.612 OF 2020**

**WITH
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.820 OF 2020**

Lucent Technologies GRL LLC

....Petitioner

V/s.

The Deputy Commissioner of Income
Tax (International Taxation)

....Respondent

Mr Arvind Pinto for appellant in ITXA/897/2014, ITXA/915/2014, ITXAL/3695/2018, ITXAL/3081/2018, ITXAL/3693/2018, ITXA/611/2020, ITXA/621/2020 & ITXA/612/2020 and for applicant in IAL/6874/2020, IAL/6820/2020 and IAL/6824/2020 and for respondent in WP/820/2020.

Mr P. J. Pardiwalla, Senior Advocate a/w. Mr Jas Sanghavi i/b. PDS Legal for respondent in ITXA/897/2014, ITXA/915/2014, ITXAL/3695/2018, ITXAL/3081/2018, ITXAL/3693/2018, ITXA/611/2020, ITXA/621/2020 & ITXA/612/2020 and for petitioner in WP/820/2020.

None for applicant in NMA/3016/2016, NMA/947/2017 and NMA/949/2014.

**CORAM : K.R. SHRIRAM &
AMIT B. BORKAR, JJ.
DATED : 29th NOVEMBER 2021**

PC. :

NOTICE OF MOTION NO.3016 OF 2016

- 1 None appearing for applicant.
- 2 Notice of motion dismissed.

NOTICE OF MOTION NO.947 OF 2017

- 3 None appearing for applicant.
- 4 Notice of motion dismissed.

NOTICE OF MOTION NO.949 OF 2017

- 5 None appearing for applicant.
- 6 Notice of motion dismissed.

INTERIM APPLICATION (L) NO.6874 OF 2020
WITH
INTERIM APPLICATION (L) NO.6920 OF 2020
WITH
INTERIM APPLICATION (L) NO.6924 OF 2020

7 Mr. Pinto seeks leave of the Court to file a further affidavit in support of the interim applications and undertakes to give better particulars in that affidavit and also make an attempt to explain each days delay with details.

8 This affidavit shall be personally filed by the Principal Commissioner of Income Tax and not by any Assistant Commissioner of Income Tax on his behalf. We make it clear that we do not appreciate applicant asking a junior officer to file applications and henceforth, no interim application will be entertained unless applicant himself signs and verifies the interim application. The affidavit shall be filed and copy served on or before 4th December 2021, failing which these interim applications will stand dismissed without further reference to this Court.

9 If such affidavits are filed, then the entire bunch of matters remaining as listed today, shall be listed for admission on 7th December 2021 alongwith Writ Petition No.820 of 2020 on which date Writ Petition No.820 of 2020 will be heard first.

(AMIT B. BORKAR, J.)

(K.R. SHRIRAM, J.)