

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

SPECIAL LEAVE PETITION (CIVIL) Diary No. 56083/2026

[Arising out of impugned final judgment and order dated 15-12-2025 in WPL No. 38249/2025 passed by the High Court of Judicature at Bombay]

DEPUTY COMMISSIONER OF INCOME TAX CIRCLE 23 (1) & ORS.Petitioner(s)

VERSUS

K2 FAMILY PRIVATE TRUST

Respondent(s)

IA No. 294208/2026 - CONDONATION OF DELAY IN FILING

Date : 05-10-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UJJAL BHUYAN  
HON'BLE MR. JUSTICE ATUL S. CHANDURKAR

For Petitioner(s) : Mr. Raghavendra P Shankar, A.S.G.  
Mr. Sudarshan Lamba, AOR  
Mr. Karan Lahiri, Adv.  
Mr. Eklavya Dwivedi, Adv.  
Mr. Gaurang Bhushan, Adv.  
Ms. Nikita Capoor, Adv.

For Respondent(s) :

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

1. Delay condoned.
2. After hearing learned Additional Solicitor General, we are *prima facie* of the view that the High Court ought to have expressed its definitive opinion on the merit of the claim made by the Petitioners regarding set-off.

Signature Not Verified  
Digitally signed by  
IRAMNAZ  
Date: 2026.10.06  
16:43:31 IST  
Reason: 34

If that would have been done, then the direction contained in paragraph 21 would have been fully justified.

4. On this limited aspect, we issue notice, returnable on 12.01.2027.

(IRAMNAZ)  
COURT MASTER (SH)

(CHETNA BALOONI)  
COURT MASTER (NSH)