

ITEM NO.4

COURT NO.6

SECTION XIV

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

Petition for Special Leave to Appeal (C) No.4721/2026

[Arising out of impugned final judgment and order dated 08-12-2025 in WP(C) No. 405/2024 passed by the High Court of Delhi at New Delhi]

M/S SIREZ LIMITED

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

FOR ADMISSION

Date : 10-02-2026 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) : Mr. Santosh Kumar, Sr. Adv.
Mr. Madhurendra Sharma, Adv.
Mr. Rakesh Kumar Singh, Adv.
Mr. Rajiv R. Mishra, Adv.
Mr. Neeraj Dwivedi, Adv.
Mr. Ashutosh Yadav, AOR

For Respondent(s) :

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

1. Heard Mr. Santosh Kumar, the learned senior counsel appearing for the petitioner assessee.

2. It appears *prima facie* from the materials on record that there was a delay at the end of the petitioner in filing the Return of Income for AY Year 2018-2019.

3. The Central Board of Direct Taxes (CBDT) rejected the application filed by the petitioner under Section 119(2) (b) of the Income Tax Act, 1961 (for short, "the Act, 1961") thereby declining to condone the delay.

4. The refusal to condone the delay has led to (i) denial of carry forward of business loss of Rs.1,06,60,750/-, and (ii) denial of refund/credit of TDS of Rs.19,73,540/-.

5. The short point that falls for our consideration is whether delay in filing the Return of income can be condoned under Section 119(2)(b) of the Act, 1961.

6. Issue notice.

7. The learned Advocate on Record shall serve one set of his entire paper book to Mr.Raghavendra P. Shankar, the learned ASG, at the earliest.

8. List on 09.03.2026.

(CHANDRESH)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)