

# THE FEDERATION OF BANK OF INDIA OFFICERS' ASSOCIATIONS

(REGD.No.7364)

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**Circular No. 2018/11**

**Date: 13/03/2018**

Dear Comrades,

**TAX ON PERQUISITE VALUE UNDER SECTION 17(2) OF INCOME TAX ACT, 1961,**  
**AS AMENDED BY FINANCE ACT, 2007**  
**APPEAL AGAINST FINAL JUDGEMENT ORDER DATED 20.04.2016 IN WRIT**  
**PETITION NO.10053 OF 2008 OF MADRAS HIGH COURT**  
**AIBOC APPEAL IN SUPREME COURT OF INDIA**

We reproduce, hereunder, the contents of AIBOC Circular No. 2018/10 dated 12.03.2018 on the captioned subject for your information & circulation amongst members.

With greetings,

Yours comradely,

(SUNIL KUMAR)  
**GENERAL SECRETARY**

**QUOTE:**

**TAX ON PERQUISITE VALUE UNDER SECTION 17(2) OF INCOME TAX ACT,**  
**1961, AS AMENDED BY FINANCE ACT, 2007**  
**APPEAL AGAINST FINAL JUDGEMENT ORDER DATED 20.04.2016 IN WRIT**  
**PETITION NO.10053 OF 2008 OF MADRAS HIGH COURT**  
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Please refer to our Circular No.2017/10 & 2017/14 dated 23.02.2017 and 03.03.2017 respectively, on the captioned subject. We advised you vide our Circular of 23.02.2017 that a Special Leave Petition (SLP) No.4327/2017 has been filed, seeking special leave to Appeal against the final Judgment and Order dated 20.04.2016 passed by High Court of Madras in Writ Petition No.10053, by condoning the delay of 216 days in filing the same against final Order dated 20.04.2016. Our case came up for hearing on 27.02.2017 in Hon'ble Supreme Court. The Hon'ble Court has granted an interim protection against the decision granted of High Court of Madras and will apply and continue to members of our Confederation until further orders. The case is listed for hearing on 17<sup>th</sup> April 2018, and accordingly the stay remains effective for the current financial year. We shall keep you apprised of the developments. The screenshots of the case status as available in supreme court website is attached.

Comradely yours,

Sd/-

**D.T. Franco**  
**General Secretary**

**UNQUOTE**

**Encl: As above**

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Case Type	Number	Year
SPECIAL LEA'	4327	2017

Diary No. - 5637 - 2017

ALL INDIA BANK OFFICERS CONFEDERATION vs. UNION OF INDIA AND ORS.

Case Details

Diary No.	5637/2017 Filed on 20-02-2017 11:34 AM [SECTION: XII] <b>PENDING</b>
Case No.	C.A. No. 018464 / 2017 Registered on 11-11-2017 SLP(C) No. 006977 / 2017 Registered on 21-02-2017 S.L.P.(C)...CC No. 004327 / 2017 Registered on 21-02-2017 S.L.P.(C)...CC No. 004327 - 004327 / 2017
Present/Last Listed On	23-02-2018 [REGISTRAR (J) - IV]
Status/Stage	PENDING (Motion Hearing [SERVICE/COMPLIANCE]-BEFORE REGISTRAR(J) / [AFTER NOTICE (FOR ADMISSION) - CIVIL CASES]) Leave Granted / Rule NISI-Ord dt:09-11-2017
Tentatively case may be listed on (likely to be listed on)	17-04-2018 (Computer generated)
Admitted	[ADMITTED ON : 09-11-2017]
Category	0303-Direct Taxes Matter : Other matters under Income Tax act, 1961
Act	
Petitioner(s)	1 ALL INDIA BANK OFFICERS CONFEDERATION REP. BY HARVINDER SINGH, GENERAL SECRETARY, S/O LATE SHRI CHARANJIT SINGH, R/O 7/1, 1ST

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Diary Number	Case Number	Party Name	AOR	Court / Tribunal	Free Text
5637/2017	4327	ALL INDIA BANK OFFICERS CONFEDERATION vs. UNION OF INDIA AND ORS.			

Case Type	Number	Year
SPECIAL LEA'	24439	2016

Diary No. - 24030 - 2016

SOUTH INDIA BANK OFFICERS ASSOCIATION vs. UNION OF INDIA MINISTRY OF FINANCE REPRESENTED BY SECRETARY

Case Details

Diary No.	24030/2016 Filed on 19-07-2016 05:08 PM [SECTION: XII] <b>PENDING</b>
Case No.	C.A. No. 018457 - 018458 / 2017 Registered on 11-11-2017 SLP(C) No. 024439 - 024440 / 2016 Registered on 20-08-2016
Present/Last Listed On	23-02-2018 [REGISTRAR (J) - IV]
Status/Stage	Pending - (Motion Hearing [SERVICE/COMPLIANCE]-BEFORE REGISTRAR(J) / [AFTER NOTICE (FOR ADMISSION) - CIVIL CASES]) List On (Date) (17-04-2018)-Ord dt:23-02-2018
Tentatively case may be listed on (likely to be listed on)	17-04-2018 (Computer generated)
Admitted	[ADMITTED ON : 09-11-2017]
Category	0303-Direct Taxes Matter : Other matters under Income Tax act, 1961
Act	
Petitioner(s)	1 SOUTH INDIA BANK OFFICERS ASSOCIATION REP BY ITS SECRETARY MR. V.P. VINCENT THROUGH PRAVEEN R. GENERAL SECRETARY REP BY ITS SECRETARY MR. V.P. VINCENT THROUGH PRAVEEN R. GENERAL SECRETARY SBIOA CENTRE, 2ND FLOOR, IX/391/5, MISSION QUARTERS, Thrissur, KERALA

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