

HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR

D.B. Civil Writ Petition No. 4166/2019

M/s. Jodhpur Multifunctional Complex Pvt Ltd

-----Petitioner

Versus

State Of Rajasthan & Ors.

-----Respondent

For Petitioner(s)	:	Mr. Simrath Raj Vyas, authorised signatory of the petitioner Company.
For Respondent(s)	:	Mr. B.P. Bohra.

HON'BLE ACTING CHIEF JUSTICE MR. MANINDRA MOHAN SHRIVASTAVA
HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

16/03/2023

Heard Shri Simrath Raj Vyas, authorised signatory of the petitioner Company, who is present in person.

Learned counsel Shri B.P. Bohra appears for respondents No.5 and 6. None appears for other respondents.

The petitioner has filed second stay application stating that this Court, on the initial date of hearing, after satisfied with the arguments made by the counsel representing the petitioner, has protected the petitioner against recovery of demand under impugned demand notice dated 01.01.2019 (Annexure-4). The petitioner, present in person, would submit that though the interim order was continued thereafter on 06.05.2019 but, when the case was listed on subsequent dates and time was granted to the respondents, inadvertently, it could not be pointed out to the Court that the interim order granted earlier may continue.

It is submitted that taking undue advantage of the situation, the respondents have issued various demand notices.

We find that reply on behalf of the main contesting respondent No.4 Jodhpur Nagar Nigam has not been filed till date. This Court had earlier protected the petitioner by the interim order dated 15.03.2019 taking into consideration the *prima facie* case in favour of the petitioner. In view thereof, we are inclined to continue the interim order granted by this Court earlier and restrain the respondents from recovering Urban Development Tax from the petitioner under the demand notices until further orders.

List this case after two months.

In the meantime, respondents may file their reply.

(KULDEEP MATHUR),J

(MANINDRA MOHAN SHRIVASTAVA),ACJ