

Court No. - 42

Case :- WRIT TAX No. - 787 of 2023

Petitioner :- M/S Indus Valley Promoters Limited

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Nishant Mishra

Counsel for Respondent :- C.S.C.,Kartikeya Saran,Krishna Agarawal

Hon'ble Saumitra Dayal Singh,J.

Hon'ble Rajendra Kumar-IV,J.

1. Submission is, though the original estimate for the work to be performed by the distribution company was inclusive of cost of material, labour, cartage and erection charges, at present the estimate dated 03.03.2023 does not included those charges. Consequently, the bill amount stands reduced to Rs.23,11,380/- for services availed by the petitioner. GST may have been charged only on that amount and not on the original estimated amount.

2. Matter requires consideration.

3. All respondents are represented. They pray for and are granted time to file counter affidavit within four weeks. Petitioner may file rejoinder affidavit within two weeks thereafter.

4. Till the next date of listing, subject to the petitioner paying GST on the actual billed amount, from time to time no amount of GST may be computed and demanded over and above on that amount.

5. List thereafter.

Order Date :- 31.5.2023

I.A.Siddiqui

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(Rajendra Kumar-IV,J.) (Saumitra Dayal Singh,J.)