

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

I.A. 3/2013 in WRIT PETITION (CIVIL) NO(s). 232 OF 2010

M/S OTIS ELEVATOR CO.(I) LIMITED & ANR Petitioner(s)

VERSUS

STATE OF RAJASTHAN & ORS. Respondent(s)

(for modification of Court's Order and office report)

Date: 11/03/2013 This IA was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE J. CHELAMESWAR
HON'BLE MR. JUSTICE MADAN B. LOKUR

For Petitioner(s) Mr. S.K. Bagaria, Sr. Adv.
Mr. Tarun Gulati, Adv.
Mr. Neil Hildreth, Adv. for
Mr. Praveen Kumar, Adv.

For Respondent(s) Dr. Manish Singhvi, Adv.
Mr. Amit Lubhaya, Adv. for
Ms. Pragati Neekhara, Adv.

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

On principle, Mr. S.K. Bagaria, learned senior counsel for the petitioners and Dr. Manish Singhvi, learned counsel for the respondents are ad idem that until the issue is decided by the Constitution Bench, the amount may be paid by the petitioners treating the transaction as 'works contract'.

2. As regards quantification, we direct the learned counsel for the respondents (applicants in I.A. No. 3 of 2013) to file an additional affidavit quantifying the tax liability of the petitioners treating the transaction as 'works contract'. The additional affidavit shall be filed within one week. It will be open to the petitioners to file response affidavit to the additional affidavit within two weeks thereafter.

3. List I.A. No. 3 of 2013 after three weeks.

|(Pardeep Kumar)
|Court Master

|(Renu Diwan)
|Court Master

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