¶ITEM NO.32 COURT NO.3 SECTION III

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 (Civil) No.13170/2012
(From the judgment and order dated 03/01/2012 in WP No.8773/2011 of The HIGH COURT OF ORISSA AT CUTTACK)

M/S ORBIT MOTORS P.LTD. Petitioner(s)

VERSUS

COMMR.OF SALES TAX ORISSA & ORS. Respondent(s)

(With prayer for interim relief)

Date: 04/05/2012 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE ANIL R. DAVE

For Petitioner(s) Mr. Pamodar Pati, Adv.
Mr. Yashish Chandra, Adv.
Mr. Mishra Saurabh, Adv.-on-Record

For Respondent(s)

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

Issue notice.

Learned counsel appearing for the petitioner submits that the petitioner has been regularly depositing 1/3 rd of the total tax demanded. Following order dated 3rd February, 2010, passed in the connected matters, which have been referred to the Constitution Bench, we direct that subject to the petitioner's depositing with the department, 1/3rd of the outstanding demand within 4 weeks from today and continuing to make such deposits with the department in future, no coercive steps shall be taken against the petitioner for recovery of the balance outstanding demand. It goes without saying that while making deposit in terms of this order, the petitioner would be entitled to account for the amount already deposited.

[Charanjeet Kaur] [Kusum Gulati]
Court Master Court Master