

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.8871/2010

M/S BHARAT INTERNATIONAL

Appellant(s)

VERSUS

ASSISTANT COMMISSIONER OF COMMERCIAL TAX & ORS.

Respondent(s)

O R D E R

This appeal is directed against the order dated 12.10.2009 passed by a division bench of the High Court of Madhya Pradesh (Indore Bench) in W.P. No.5874 of 2008.

Learned counsel for the appellant Shri S. Hariharan submitted that the issues which arise in this appeal are covered by a nine-judge Bench decision of this Court in the case of Jindal Stainless Limited and Anr. vs. State of Haryana and Ors. reported in (2017) 12 SCC 1. He also submitted that while issuing notice in this appeal, this court had restricted the consideration of the matter only on the question of levy of entry tax. Since the controversy which arises in this appeal is now covered by the aforesaid judgment of this Court, appropriate orders may be made in this appeal.

Learned Deputy Advocate General appearing for the respondent-department submitted that indeed nothing further would survive in this appeal having regard to the judgment of this Court in the case of Jindal Stainless Limited and Anr. vs. State of Haryana and Ors.

Recording the submissions of learned counsel for the respective parties, we dismiss this appeal in view of the majority judgment passed in Jindal Stainless Limited and Anr. vs. State of Haryana and Ors., by taking note of the fact that notice in this appeal was limited only to the question of levy of entry tax and no other issue is to be considered in the appeal.

Pending application(s), if any, shall also stand disposed of.

., J
[B.V. NAGARATHNA]

., J
[PRASHANT KUMAR MISHRA]

NEW DELHI,
NOVEMBER 09, 2023

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

Civil Appeal No.8871/2010

M/S BHARAT INTERNATIONAL

Appellant(s)

VERSUS

ASSISTANT COMMISSIONER OF COMMERCIAL TAX & ORS.

Respondent(s)

Date : 09-11-2023 This appeal was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA

For Appellant(s) Mr. S. Hariharan, Adv.
Ms. Yashaswini Chauhan, Adv.
Ms. Charu Mathur, AOR

For Respondent(s) Mr. Harmeet Singh Ruprah, D.A.G.
Mr. Sunny Choudhary, AOR
Ms. Aarushi Singh, Adv.

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

The appeal is dismissed in terms of the signed order.

Pending application(s), if any, shall also stand disposed of.

(KRITIKA TIWARI)
SENIOR PERSONAL ASSISTANT

(MALEKAR NAGARAJ)
COURT MASTER (NSH)

(Signed order is placed on file)