

V&

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

IA NO. 3/2012  
in  
CIVIL APPEAL NO. 2939 OF 2004

INDIAN OIL CORPORATION LTD.

Appellant (s)

VERSUS

SANGLI MIRAJ KUPWAD CITY CORPN.  
& ANR.

Respondent(s)

WITH

IA NO. 3/2012  
in  
CIVIL APPEAL NO. 2940 OF 2004

BHARAT PETROLEUM CORPORATION LTD.

Appellant (s)

VERSUS

SANGLI MIRAJ KUPWAD CITY CORPN.  
& ANR.

Respondent(s)

O R D E R

1. Hearing of I.A. No. 3 is as good as hearing the main matter itself. Therefore, by consent of the learned counsel for the parties, the matters are taken up for final hearing.

2. In the instant case the High Court has rejected Civil Application No. 433 of 2004 filed in Writ Petition No. 7722 of 2003 and Civil Application No. 434 of 2004 filed in Writ Petition No. 7721 of 2003 by its order dated 5th March, 2004. The prayer in the application is to stay the demand notices issued by the Respondent-Municipal Corporation, inter alia, directing them to pay service charges on refundable Octroi duty.

3. This Court, while entertaining the Civil Appeal, had directed the Appellant Corporation to furnish the bank guarantee for the amount(s) as demanded by the Respondent-Corporation and keep it alive till the disposal of the Writ Petition(s) pending before the High Court.

4. We are informed by both the learned counsel that the Appellant Corporation(s) have furnished the bank guarantee and the same has been kept alive as on date and further they would undertake that the Bank Guarantee(s) would be kept alive till the disposal of the pending Writ Petition(s).

5. Since the appeals are directed against the refusal to grant interim relief by the High Court, and since this Court has already granted interim relief to the appellants, we are of the opinion that no purpose would be served in keeping these files on the board. Therefore, while making the interim order passed by this Court absolute, we dispose of these Civil Appeals. Further, we direct the Appellant-Corporation(s) to keep the bank guarantee(s) furnished by them alive till the disposal of the Writ Petition pending before the High Court.

6. We hope and trust that the High Court will now dispose of the pending Writ Petition No. 7721 of 2003 and Writ Petition No. 7722 of 2003 as expeditiously as possible.



COURT MASTER

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(Signed order is placed on the file)