

ITEM NO.301 COURT NO.3 SECTION XIV  
SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

I.A. Nos.22 & 40 in C.A. No.3769/1996

BUFFALO TRADERS WELFARE ASSON.

Appellant (s)

VERSUS

U O I & ORS

Respondent(s)

( for intervention and directions)

Date: 13/11/2007 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN  
HON'BLE MR. JUSTICE S.B. SINHA  
HON'BLE MR. JUSTICE A.K. MATHUR

For UOI Mr. T.S. Doabia, Sr. Adv.  
Mr. D.S.Mahra, Adv. for  
Mrs. Anil Katiyar, Adv.

For M.C.D. Mr. A.Sharan, ASG  
Mr. Sanjiv Sen, Adv.  
Mr. Praveen Swarup, Adv. for  
Ms. Amita Gupta, Adv.

Mr. Vishnu B. Saharya, Adv. for  
M/s Saharya & Co.

For CPCB Mr. Vijay Panjwani, Adv.

Buffalo Traders Assn. Mr. Ajay K. Jha, Adv.  
Ms. Rukmani Bobde, Adv.for  
M/s. Parekh & Co.

Mr. Prashant Kumar, Adv.

For State of UP Ms. Savitri Pandey, Adv.  
Mr. S.W.A.Qadri, Adv.for  
Mr. Anuvrat Sharma, Adv.

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

Learned ASG appearing for MCD states that directions of this Court have been complied with and rupees thirteen crores, as directed  
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on 27th September, 2007, was paid to the contractor on 8 th November, 2007. He has offered a sum of rupees six crores twenty lakhs forty eight thousand ninety seven by way of two demand drafts/cheques bearing Nos.589386 and 589387 dated 5th November, 2007 drawn in favour of the contractor towards part payment of the tax liability in the court today

which is not accepted by the counsel for the contractor as according to him the total amount due towards statutory taxes is 16.12 crores. At this stage, learned ASG states that MCD shall directly pay the statutory taxes to the assessing authorities as and when any demand is created by them because as per agreement the statutory taxes other than income tax are to be paid by MCD. We accept this statement of learned ASG and direct him to pay the statutory taxes directly to the assessing authorities as and when any demand is created by them.

Needless to say that the contractor shall continue with the work and complete the same by 31st December, 2007 as directed on the previous date of hearing.

To come up on 11th December, 2007 at 10.30 a.m.

(Parveen Kr. Chawla)  
Court Master

(Kanwal Singh)  
Court Master