

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s).14153/2013

(From the judgement and order dated 30/10/2012 in WP No.2440/2012 of The HIGH COURT OF BOMBAY)

BUILDERS ASSOCIATION OF INDIA

Petitioner(s)

VERSUS

STATE OF MAHARASHTRA & ANR.

Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned order and prayer for interim relief and office report)

WITH SLP(C) NO. 1257 of 2013

(With prayer for interim relief and office report)

Date: 31/01/2014 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA

HON'BLE MR. JUSTICE SHIVA KIRTI SINGH

For Petitioner(s)

SLP 14153

Mr. Vinayak Patkar, Adv.

Mr. Ashvin Acharya, Adv.

Mr. S. Ravi Shankar, Adv.

SLP 1257

Dr. Abhishek Manu Singhvi, Sr. Adv.

Mr. Parimal Shroff, Adv.

Mr. Ankur Saigal, Adv.

Mr. Mahesh Agarwal, Adv.

Mr. E.C. Agrawala, Adv.

For Respondent(s)

Mr. D.J. Khambata, AG

Mr. Shekhar Naphade, Sr. Adv.

Mr. Aniruddha P. Mayee, Adv.

Mr. Chinmoy Khaladkar, Adv.

Mr. C. Mahindarkar, Adv

UPON hearing counsel the Court made the following

O R D E R

Mr. D.J. Khambata, learned Advocate General for the State of Maharashtra submits that the controversy in the special leave petitions stands concluded by a three Judge Bench decision of this Court in M/s. Larsen & Toubro Limited and another vs. State of Karnataka and another and other connected matters decided on 26.9.2013. Learned Advocate General further informs us that in accordance with the judgment of this Court in Larsen & Toubro (supra), a notification dated 29.1.2014 has been published in the Official Gazette.

2. We have also considered the submissions of Dr. Abhishek Manu Singhvi, learned senior counsel for the petitioner in SLP (C) No. 1257 of 2013.

3. We are satisfied that the controversy in the present special leave petitions is concluded by the decision of this Court in Larsen & Toubro (supra). We, accordingly, dispose of the special leave petitions in terms of that decision. It is, however, clarified that if the petitioners have any grievance about the Notification dated 29.1.2014, they may pursue their remedy in that regard. We further clarify that if the petitioners file revised returns in terms of this order and/or Notification dated 29.1.2014, such returns will be examined by the concerned assessing officer appropriately in accordance with law.

|(Pardeep Kumar)
|AR-cum-PS

|(Renu Diwan)
|Court Master

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