

j
SLP(C)No. 9057 OF 2004
ITEM No.23

Court No. 2

SECTION XVI

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

Petition(s) for Special Leave to Appeal (Civil) No.9057/2004

(From the judgement and order dated 05/05/2003 in APOT 774/02
of The HIGH COURT OF CALCUTTA)

CHHATER SINGH BAID

Petitioner (s)

VERSUS

DTE.,COTTAGE &SMALL SCALE INDUSTRIES&ORS

Respondent (s)

(With prayer for interim relief)

Date : 07/05/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.C. LAHOTI

HON'BLE MR. JUSTICE G.P. MATHUR

For Petitioner (s)Mr. Ranjit Kumar, Sr. adv.

Mr. Arun K. Sinha,Adv.

For Respondent (s)

UPON hearing counsel the Court made the following

O R D E R

The learned counsel for the petitioner submits that not only the levy of surcharge was dispute d by the respondent No. 1 before the learned Single Judge but the levy of penalty and interest was also in dispute but that aspect though very much raised before the learned Single Judge h as not been dealt with in the order dated December 3, 2001. If that be so, we allow liberty t o the petitioner to invite the attention of the learned Single Judge to that aspect and the le arned Single Judge would decide the plea so raised on its own merits. Subject to that liberty , the special leave petition is dismissed.

(Ajay Kr. Jain)

(Radha R. Bhatia)

Court Master

Court Master