

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(s).10125/2012

(From the judgement and order dated 12/03/2012 in WP No.3127/2012 of The HIGH COURT OF ORISSA AT CUTTACK)

M/S INDUSIND BANK LTD.

Petitioner(s)

VERSUS

PR.SEC.TO GVT.FIN.DEP.GVT.OF ORISSA &ORS

Respondent(s)

(With appln(s) for permission to file additional documents and prayer for interim relief)

Date: 29/03/2012 This Petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE H.L. DATTU
HON'BLE MR. JUSTICE ANIL R. DAVE

For Petitioner(s) Mr. A.K. Ganguli, Sr. Adv.
Mr. Manas Mohapatra, Sr. Adv.
Mr. Shiv Mangal Sharma, Adv.
Mrs. Abhinandini Sharma, Adv.
Mr. Sitiesh Narayan Singh, Adv.
Ms. Sharmila Upadhyay, Adv.

For Respondent(s)

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

Taken on board.

Since the Division Bench of the High Court of Orissa, while disposing of the writ petition has granted liberty to the petitioner to avail the alternate remedy provided under the Orissa VAT Act, 2004 ('the Act' for short) against the order of assessment, the learned senior counsel, Sh. Ganguli, seeks permission of the Court to withdraw the special leave petition.

Permission sought for is granted. Petition is disposed of as withdrawn.

However, we grant liberty to the petitioner, if it so desires, to prefer an appeal as provided under the Act within 15 days from today. If such an appeal is filed within the time granted, we direct the appellate authority to entertain the appeal and decide the same on merits without reference to the period of limitation and without being influenced by any observations made by the High Court while disposing of the writ petition.

Ordered accordingly.

(NAVEEN KUMAR)
COURT MASTER

(RENUKA SADANA)
COURT MASTER