ÒITEM NO.5 COURT NO.2 SECTION III

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

RECORD OF PROCEEDINGS

IA 3-5/2005 in Petition(s) for Special Leave to Appeal (Civil) No(s).10510/2004

(From the judgement and order dated 27/04/2004 in CWP No. 3210/2003 of The HIGH COURT OF DELHI AT N. DELHI)

HINDUSTAN LEVER LTD. & ANR. Petitioner(s)

VERSUS

SALES TAX OFFICER & ORS. Respondent(s)

(With appln(s) for directions and stay and c/d in filing counter affidavit in IA Nos.3 and 4)

Date: 02/01/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE RUMA PAL

HON'BLE DR. JUSTICE AR. LAKSHMANAN

HON'BLE MR. JUSTICE DALVEER BHANDARI

For Petitioner(s) Mr.H.N.Salve,Sr.Adv.

Mr.Ravinder Narain,Adv.

Mr.M.K.Arora,Adv.

Mr.Ajay Aggarwal,Adv.

Mr.Sanjeev Dahiya,Adv.

Mr. Rajan Narain,Adv.

For Respondent(s) Mr.Rajeev Dutta,Sr.Adv.

Mr.Arijit Prasad,Adv.

Mr.Shailendra Sharma,Adv.

Mr.Ravi Mehrotra,Adv.

Mrs Anil Katiyar,Adv.

UPON hearing counsel the Court made the following

O R D E R

The respondents will seek instructions as to whether the circular has been withdrawn with effect from 27th April, 2004 or altogether. The High Court had negatived the challenge of the petitioners to the circular on the basis that the circular would be ignored altogether by the respondents. By making the circular operative for the period prior to 27th April, 2004, the respondent has in effect taken away the basis upon which the High Court refused to entertain

the challenge of the petitioner to the circular. Even before this Court the submission by the respondents was that the circular would be withdrawn. No date was given. It was assumed that the circular would be completely withdrawn from the date of its issuance.

The matter is adjourned to next Monday in order to enable the respondents to take instructions.

[USHA BHARDWAJ]
COURT MASTER

[MADHU SAXENA]
COURT MASTER