

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).7273/2007

(From the judgement and order dated 22/12/2006 in WP No. 13697/2002 & WP No. 13698/2002 of The HIGH COURT OF MADRAS)

STATE OF TAMIL NADU & ANR.

Petitioner(s)

VERSUS

INDIAN CEMENTS LTD. & ANR.

Respondent(s)

(With prayer for interim relief )

Date: 30/04/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

For Petitioner(s)

Mr. T.R.Andhyarujina,Sr.Adv.

Mr. S.Beno Bencigar,Adv.

Mr. R. Nedumaran,Adv.

For Respondent(s)

Mr. K.Ramamurthy,Sr.Adv.

Mr. Hari Shankar K,Adv.

Mr. Vikas Singh Jangra,Adv.

UPON hearing counsel the Court made the following

O R D E R

Issue notice.

By the impugned judgment High Court has ordered refund of the deposits made by the assessee and work out the benefit of the scheme. The benefit is ordered to be worked out and paid to the assessee herein. Therefore the department shall quantify the benefits and the amount of deposit to be refunded which shall be communicated to the respondent-assessee. Respondent assessee would be entitled to withdraw the quantified amounts against giving of bank guarantee of nationalized bank to the satisfaction of the Registrar General.

Mr. Hari shankar K. learned counsel waives service of notice. He seeks two weeks' time to file counter affidavit. Time granted.

[SUMAN WADHWA]

COURT MASTER

[MADHU SAXENA]

COURT MASTER