

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).24690/2009

(From the judgment and order dated 04/09/2008 in CEA No. 20/2006
of The HIGH COURT OF KERALA AT ERNAKULAM)

IDEA MOBILE COMMUNICATION LTD. Petitioner(s)

VERSUS

C.C.E.& C.,COCHIN Respondent(s)

(With office report)

Date: 16/08/2010 This Petition was called on for hearing today.

CORAM :
HON'BLE DR. JUSTICE MUKUNDAKAM SHARMA
HON'BLE MR. JUSTICE ANIL R. DAVE

For Petitioner(s) Mr. Punit Dutt Tyagi,Adv.
For Respondent(s) Mr. Vivek K. Tankha, (A.S.G.)
Mr. V. Shekhar, Sr. Adv.
Ms. Shalini Kumar, Adv.
Mr. S. Ganesh, Adv.
Mr. Prasanth B., Adv.
Mr. Jatin Rajput, Adv.
Mr. Zangpo Sherpa, Adv.
Mr. Pratul Shandilya, Adv.
Mr. Rishabh Sancheti, Adv.
Mr. Vaibhav Srivastava, Adv.
Mr. Sumeer Sodhi, Adv.
Mr. D. Kumanan, Adv.
Mr. B.K. Prasad ,Adv

UPON hearing counsel the Court made the following :

Contd....2/-

: 2 :

O R D E R

Learned counsel appearing for the petitioner on instruction has stated before us that the Sales Tax as provided by the State Government has not been paid and, therefore, the petitioner has no liability to pay any Service Tax as demanded by the respondent and as ordered by the High Court. In this connection, he also relied upon the decision in BSNL & Anr. v. Union of India & Ors., [(2006) 3 SCC 1]. Learned counsel appearing for the respondent, however, seeks to dispute the aforesaid statement and states that in this case Service Tax is liable to be paid. He also states that he would obtain instructions for which he seeks four weeks' time. Prayer is allowed.

(Jasvir Singh)
Sr.P.A.

(Renu Diwan)
Court Master