

IN CHAMBERS

ITEM NO.51

COURT NO.7

SECTION II

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

CrI.M.P.No. 904/2005 IN CRIMINAL APPEAL NO(s). 1718 OF 1995

STATE OF RAJASTHAN

Appellant (s)

VERSUS

LUNA RAM & ORS

Respondent(s)

(Office report for directions)

Date: 10/02/2011 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HARJIT SINGH BEDI

For Appellant(s)

Mr. Prashant Bhagwati, Adv.

For Respondent(s)

Mr. Mahabir Singh, Sr. Adv.
Cpt Karan Singh Bhati, Adv.
Ms. Aishwarya Bhati, Adv.
Mr. Rashid Khan, Adv.

Mr. Milind Kumar, Adv.

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

The present Criminal Miscellaneous petition was filed on 17/12/2004 under Order XLII Rule 23 of the Supreme Court Rules, 1966 by Mr. Karan Singh Bhati for taxation bills which were not paid to him by the State of Rajasthan. In this petition Mr Bhati contended that he was an Advocate-on-Record in the year 1994 and as a Panel Advocate for the State of Rajasthan from March 9, -2-

1994 to September 2, 1994 and for this period, he had submitted approximately 57 bills to the State Government for payment of his fee, but no bill had been cleared. The matter was thereafter referred to the Taxing Officer of the Supreme Court who has now submitted his report dated December 23, 2010.

Today, I have heard Mr. Mahavir Singh, learned counsel for the petitioner and Mr. Prashant Bhagwati, learned counsel for the State of Rajasthan. A perusal of the

report of the Taxing Officer reveals that some of the bills claimed by the petitioner had already been cleared but the bills that had not been cleared have

been identified in Annexure I to Annexure VII A & B.

This amount must be paid to the petitioner by way of a Bank Draft within eight weeks from the date that a

certified copy of this order is supplied to the State of Rajasthan. Mr. Mahavir Singh has also submitted

that as the bills had not been cleared, some interest should also be awarded. A perusal of the report of the Taxing Officer reveals that a similar claim had been made before him but the same had been rejected for the reasons given in the report. I am, therefore, of the

-3-

opinion that no interest is payable on the amount due.

However, if the amount is not cleared within the time aforesaid, interest @ 12% per annum will also be paid from the date of this order to the date of payment.

The matter is accordingly disposed of in the above terms.

[SUMAN WADHWA]
COURT MASTER

[VINOD KULVI]
COURT MASTER