ITEM NO.49 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

Petition(s) for Special Leave to Appeal (Civil) No(s).10137/2006

(From the judgement and order dated 09/05/2006 in WP No. 9848/2006 of The HIGH COURT OF A.P AT HYDERABAD)

M/S.SARDA AGRO OILS LTD. Petitioner(s)

VERSUS

COMMERCIAL TAX OFFICER,HYD & ORS. Respondent(s)

(With appln(s) for permission to place addl. documents on record and with prayer for interim relief

and office report)

Date: 19/06/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE AR. LAKSHMANAN

HON'BLE MR. JUSTICE ALTAMAS KABIR

(VACATION BENCH)

For Petitioner(s)

Mrs.Amareshwari, Sr.Adv.

Mr.S.Nanda Kumar, Adv.

Mr.Satish Kumar, Adv.

Mr.Mayil Samy, Adv.

Mr. V.N. Raghupathy,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

Heard the learned senior counsel appearing on behalf of the petitioner.

The net tax payable after adjusting the amount ordered to be paid comes to

Rs.1,58,64,815/-. It is stated that the petitioner has paid Rs.29 lakhs and the same has been

adjusted in the disputed tax by the respondent. The High Court directed the petitioner to make 50

% of the amount. The petitioner submits that instead of 50% of the amount as directed by the High

Court, the petitioner may be permitted to furnish a bank guarantee for the said balance to the

respondents. Since the petitioner is ready and willing to furnish bank guarantee, we permit the

petitioner to furnish the bank guarantee for the 50 % of the amount as ordered by the High Court

after adjusting the amount which has already been paid. The bank guarantee shall be furnished

within four weeks from today failing which the SLP shall stand automatically dismissed.

(Satish K. Yadav) (Phoolan Wati Arora)

Court Master Court Master