

ITEM NO.47

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 NOS. 4-5 in
Petition(s) for Special Leave to Appeal (Civil) No(s).24472/2011

(From the judgement and order dated 26/07/2010 in CMWP No.6281/2010
of The HIGH COURT OF U.P AT LUCKNOW)

STATE OF U.P.& ORS.

Petitioner(s)

VERSUS

RELIANCE INDUSTRIES LTD.& ORS.

Respondent(s)

(for clarification of Court's order dated 23.01.2012 and
permission to file addl.documents and office report)

Date: 24/02/2012

This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

For Petitioner(s)
/applicant/R1

Dr. Abhishek M.Singhvi, Sr. Adv.
Mr. Pravin H.Parekh, Sr. Adv.
Mr. Sumit Goyal, Adv.
Mr. R.Chandrachud, Adv.
Mr. Sameer Parekh, Adv.
Mr. Rajat Nair, Adv.
for Mr. K.R. Sasiprabhu,AOR.

St.of UP

Mr. Krishnan Venugopal, Sr. Adv.
Mr. Aarohi Bhalla, Adv.
Mr. Gunnam Venkateswara Rao,AOR.
Mr. S.K. Dwivedi, Adv.
Mr. Manoj Dwivedi, Adv.
Mr. Ashutosh Sharma, Adv.
Mr. Aviral Shukla, Adv.

For Respondent(s)
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Mr. Sunil Gupta, Sr. Adv.

R4(IFFCO)

Ms. Bindu Saxena, Adv.
Mr. Shailendra Swarup, Adv.
Ms. Aparajita Swarup, Adv.

R5

Mr. Sudhir Nandra Jog, Sr. Adv.
Mr. Abhay Kumar, Adv.
Mr. Nakul Pathani, Adv.

UOI

Mr. Gourab Banerjee, ASG.
Mr. S.A. Haseeb, Adv.
Mr. Sahil Tagotra, Adv.
Mr. Arvind Kumar Sharma ,AOR

Mr. Mukul Rohatgi, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Rishi Agrawala, Adv.
Mr. Gaurav Goel, Adv.
Mr. E.C. Agrawala, AOR

Mr.M.P.Devanath, AOR

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

1. I.A.4 of 2012, has been filed on behalf of the the respondent No.1 for clarification of the order passed on 23rd January, 2012. In the said order, certain submissions, which had been made on behalf of the respondent No.1, the State of U.P., as also the customers of the respondent No.1 had been recorded. While recording the submissions made on behalf of the parties, in regard to the submission made on behalf of the customers, we had recorded that the customers were apprehensive of the burden of the Value

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Added Tax, imposed by the State of U.P.

2. Thereafter, we had indicated that this was a matter which would be decided by the High Court, where it is pending determination as to whether Value Added Tax was payable in respect of the goods being transported through the State of U.P.

3. Accordingly, we clarify our order of 23rd January, 2012, and direct that in the paragraph beginning with the words "On behalf of the State of U.P.." the sentence beginning with the words "We once again indicate" and ending with the words "payable or otherwise" shall stand deleted.

4. I.A.No.4 and other connected applications, which are pending, stand disposed

of.

5. There will be no order as to costs.

(Sheetal Dhingra)
COURT MASTER

(Juginder Kaur)
Assistant Registrar