

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal(Civil)...../2004
(CC:10663)

(From the judgement and order dated 29/03/2004 in STA 722 of 2000-01
of The Haryana Tax Tribunal, Chandigarh)

STATE OF HARYANA

Petitioner (s)

VERSUS

M/S. BHIWANI OIL MILLS

Respondent (s)

With I.A.1(C/delay in filing SLP and office report)

With I.A. No. 3 (Appln. for urging substantial question of law
and grounds)

With

SLP(C)...CC 11024-11025/2004

With I.A.1-2(C/delay in filing SLP and office report)

With I.A. No. 5-6 (Appln. for urging substantial question of law
and grounds)

SLP(C)...CC 11286/2004

With I.A.1(C/delay in filing SLP and office report)

With I.A. No. 3 (Appln. for urging substantial question of law
and grounds)

SLP(C)...CC 11329/2004

With I.A.1(C/delay in filing SLP and office report)

With I.A. No. 3 (Appln. for urging substantial question of law
and grounds)

SLP(C)...CC 10708/2004

(For c/delay in refiling SLP and office report)

With I.A. No. 2 (Appln. for urging substantial question of law
and grounds)

WITH

SLP(C)...../2004 CC 11395/2004

(With appln. for c/delay in refiling SLP and urging addl.
grounds and office report)

WITH

SLP(C)...../2004 CC 11115-11117/2004

(With appln. for c/delay in refiling SLP and urging addl.
grounds and office report)

SLP(C)...../2004 CC 11273-11276/2004

(With appln. for c/delay in refiling SLP and urging addl.
grounds and office report)

SLP(C)...../2004 CC 11323-11324/2004

(With appln. for c/delay in refiling SLP and urging addl.
grounds and office report)

SLP(C)...../2004 CC 11440/2004

(With appln. for c/delay in refiling SLP and urging addl.
grounds and office report)

Date : 10/12/2004 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.N. VARIAVA
HON'BLE MR. JUSTICE H.K. SEMA

For Petitioner (s) Mr. Harish N. Salve, Sr. Adv.
Mr. Mahendra Anand, Sr. Adv.
Mr. Praveen Kumar Rai, Adv.
Ms. Kavita Wadia, Adv.

For Respondent (s)

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

Delay condoned.

These Special Leave Petitions have been filed against the Judgment of the Haryana Tax Tribunal, Chandigarh on the ground that the High Court had earlier, in the case of Shri Ganesh Cotton Traders v. State of Haryana reported in 2002 Vol. 127 S.T.C. 313 and in M/s. Satish Oil & General Mills Vs. State of Haryana in CWP No.16678 of 2000, held against the Revenue and therefore it would be futile to go to the High Court. We find that in those cases the High Court has not considered Section 15-A which is being strongly relied upon by the Appellants. Therefore, the Petitioners are directed to approach the High Court and bring the provisions of Section 15-A to the notice of the High Court. Clarified that we are not holding that Section 15-A will apply in these matters. The High Court will consider on merits the applicability of Section 15-A.

The Special Leave Petitions are allowed to be withdrawn with liberty to approach the High Court.

(K.K. Chawla)
Court Master

(Jasbir Singh)
Court Master