

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).19940/2010
(From the judgement and order dated 23/06/2010 in WT No.
925/2010 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

M/S DSC LIMITED

Petitioner(s)

VERSUS

STATE OF U.P.& ANR Respondent(s)
(With appln(s) for exemption from filing O.T. and prayer for
interim relief)

Date: 21/07/2010 This matter was mentioned today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE H.L. DATTU

For Petitioner(s)

Mr. S. Ganesh, Sr. Adv.
Mr. J.K. Mittal, Adv.
Mr. Arun Gulati, Adv.
Mr. Prashant Chaudhary, Adv.

For Respondent(s)

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

Taken on board.

One of the submissions made by learned
Senior Counsel appearing for the petitioner is
that since the Assessment Order dated 29.5.2010
has been passed without affording adequate
opportunity to the petitioner to put forth his
point of view on the issue of payment of tax under
the Uttar Pradesh Value Added Tax Act, 2008, it is
a fit case where the matter deserves to be
remitted back to the Assessing Officer for passing
....2/-

:2:

a fresh Assessment Order after giving opportunity
to the assessee. It is pointed out that the show
cause notice under Section 25(1) of the Act was
served on the petitioner on 26.5.2010 and although

the petitioner filed written submissions on 29.5.2010, the Assessment Order was passed on the same day i.e. 29.5.2010.

Issue notice.

Learned counsel has stated at the bar that during the pendency of the Special Leave Petition, the respondent No.2 has already recovered Rs.4,60,39,982/- by attaching the Bank Account.

In view of the statement, we direct that till the next date of hearing no further coercive steps shall be taken for recovery of the balance amount.

(VINOD LAKHINA)
Court Master

(S.S.R. KRISHNA)
Court Master