

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

RECORD OF PROCEEDINGS

CIVIL APPEAL NO.3401 OF 2001

COMMNR. OF TRADE TAX, U.P.  
)

Appellant(s)

VERSUS

M/S MARWAH & CO.  
s)

Respondent (

(with office report)

Date: 25/04/2006 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN

HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA

For Appellant(s)

Mr. Kavin Gulati, Adv.for

Mr. Jatinder Kumar Bhatia, Adv.

For Respondent(s)

RR-Ex-parte

UPON hearing counsel the Court made the following

O R D E R

Leaving the questions of law open, the Appeal is dismissed.

No order as to costs.

(Parveen Kr. Chawla)

Court Master

(Kanwal Singh )

Court Master

[Signed Order is placed on the File]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 3401 OF 2001

COMMNR. OF TRADE TAX, U.P.

..APPELLANT

VERSUS

M/S MARWAH & CO.

..RESPONDENT

O R D E R

This appeal, by grant of special leave, is directed against the Trade Tax

Revision No. 1105 of 1998 decided on 29.8.2000 by a Single Judge of the High

Court of Allahabad. By the impugned order, the High Court has confirmed the

order passed by the Trade Tax Tribunal, Dehradun Bench, Dehradun (for short

'the Tribunal'). The Tribunal had held that the assessing authority, on remand,

relying upon fresh material could not enhanced the assessment. Neither t  
he

order of the Tribunal not the orders passed by the Commissioner(Appeals) and

the assessing authority have been placed on record.

In view of above, leaving the questions of law open, this appe  
al is

dismissed. No order as to costs.

.....J.

.....

[ASHOK BHAN]

NEW DELHI;  
.....J.

.....

APRIL 25, 2006.

[LOKESHWAR SINGH PANTA]