ITEM NO.48 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).16261/2009

(From the judgement and order dated 24/10/2008 in WP No.3911/2003
of the HIGH COURT OF JUDICATURE AT ALLAHABAD, LUCKNOW BENCH)

STATE OF U.P.& ANR. Petitioner(s)

VERSUS

M/S SAF YEAST CO.P.LTD. Respondent(s)

(With appln(s) for c/delay in filing SLP and office report)

Date: 08/03/2010 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE S.H. KAPADIA
HON'BLE MR. JUSTICE SWATANTER KUMAR

For Petitioner(s) Mr. Krishnan Venugopal, Sr.Adv.
Mr. S.K. Dwivedi, AAG.
Mr. Manoj Kumar Dwivedi, Adv.
Mr. Gunnam Venkateswara Rao,Adv.

For Respondent(s) Mr. Ashok Desai, Sr.Adv.
Mr. M.C. Dhingra,Adv.

UPON hearing counsel the Court made the following

O R D E R

Delay condoned.
Leave granted.
Hearing expedited.
It is made clear that there will be stay of refund. However, in case the assessee succeeds in the appeal, it would be entitled to interest which would be imposed on the State at the final hearing of the matter.

(N. ANNAPURNA)
COURT MASTER

(MADHU SAXENA)
COURT MASTER