vITEM NO.4 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)...../2009
CC 14431-14432/2009

(From the judgement and order dated 18/03/2009 in CMA No.25896/2009 & CMA No. 29118/2009 in CMWP No.11021/2008 of the HIGH COURT OF JUDICATURE AT ALLAHABAD, LUCKNOW BENCH AT LUCKNOW)

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

VERSUS

M/S DHAMPUR SUGAR MILLS LTD. Respondent(s)

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

Date: 15/01/2010 These Petitions were called on for hearing today.

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

For Petitioner(s) Mr. Gourab Banerji, ASG.
Mr. S.K. Dwivedi, AAG.
Mr. Aarohi Bhalla, Adv.
Mr. Manoj K. Dwivedi, Adv.
Ms. Vandana Mishra, Adv.
Mr. Gunnam Venkateswara Rao,Adv.

For Respondent(s) Mr. R.F. Nariman, Sr.Adv.
Mr. Nikhil Mehra, Adv.
Mr. G. Ramakrishna Prasad,Adv.

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

Delay condoned.

Issue notice.

Mr.G.Ramakrishna Prasad, Advocate, accepts notice.

...2/-

In this case, respondent-assessee has preferred an application in Form XLV as per Rule 70 amended vide Notification No. Ka.Ni.-2-260/XI-9(295)/07-U.P.Act-5-2008-VAT Rules-08-Order-(40)-2009 Lucknow, dated January 30, 2009.

We hereby direct the Commissioner to dispose of the pending application within six weeks from today.

In the meantime, no coercive steps will be taken to recover the outstanding amounts.

Matter to come up on 26th February, 2010.

We make it clear that the Commissioner will decide the matter uninfluenced by the impugned order passed in this matter.

(N. ANNAPURNA)
COURT MASTER

(MADHU SAXENA)
COURT MASTER