

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5861 OF 2004

U.P. POLLUTION CONTROL BOARD LTD. ... Appellant
VERSUS
M/S JEEP INDUSTRIAL SYNDICATE LTD. & ORS. ... Respondents

WITH

CIVIL APPEAL NO. 805 OF 2005

CIVIL APPEAL NO. 852 OF 2005

O R D E R

The tax effect in these appeals is a meagre amount. On this ground alone, we refuse to entertain these appeals, more so, when the question decided does not have any cascading effect.

However, we find that in Civil Appeal No. 852 of 2005, the cess which was paid by the respondents has been directed to be returned with interest at the rate of 10 per cent per annum. Since the respondent is also a public sector undertaking, under the Central Government, and having regard to the fact that the amount was not refunded because of the stay order passed by this court in the instant appeal, direction to refund the amount along with interest is set aside. As far as the amount in question which is to be refunded is concerned, the appellant shall be entitled to adjust the same against future demands.

The appeals are, accordingly, disposed of.

....., J.
[A.K. SIKRI]

Signature Not Verified

Digitally signed by
Meenakshi Kohli
Date: 2015.04.21

....., J.
[ROHINTON FALI NARIMAN]

17:10:36 IST
Reason:

New Delhi;
April 20, 2015.

ITEM NO.105

COURT NO.14

SECTION IIIA

S U P R E M E C O U R T O F
RECORD OF PROCEEDINGS

I N D I A

Civil Appeal No(s). 5861/2004

U.P. POLLUTION CONTROL BOARD LTD. Appellant(s)
VERSUS
M/S JEEP INDUSTRIAL SYNDICATE LTD. & ORS. Respondent(s)

(with interim relief and office report)

WITH

C.A. No. 805/2005
(With Office Report)

C.A. No. 852/2005

Date : 20/04/2015 These appeals were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE A.K. SIKRI
HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Appellant(s) Mr. Pradeep Misra, Adv.
Mr. Suraj Singh, Adv.
Mr. Daleep Km. Dhayani, Adv.

For Respondent(s) Dr. Kailash Chand, Adv.

Mr. Parijat Sinha, Adv.
Mr. S. C. Ghosh, Adv.
Ms. Reshmi Rea Sinha, Adv.
Mr. Debjyoti Basu, Adv.

Mr. Avi Tandon, Adv.
Mr. Rohit Sthalekar, Adv.
Mr. Umang Gupta, Adv.
Mr. T. Mahipal, Adv.

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

The appeals are disposed of in terms of signed order.

(Nidhi Ahuja)
COURT MASTER

(Suman Jain)
COURT MASTER

[Signed order is placed on the file.]