

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO. 757 OF 2009
(Arising out of S.L.P.(C) No.24592/2008)

M/s. Shiv-Vani Oil & Gas Exploration Services Ltd. ...Appellant(s)

Versus

Commercial Tax Officer ...Respondent(s)

ORDER

Leave granted.

Vide Civil Appeal Nos.11-12/2009, disposed of on 6th January, 2009, we remitted the matter to Commercial Tax Officer to decide the penalty proceedings commenced against the appellant-assessee in accordance with law after hearing the assessee and thereafter to take steps to recover the same from the assessee subject to the assessee's right to file statutory appeal.

Learned Advocates appearing for the parties agree that the order passed by us on 6th January, 2009 equally applies to the facts of the present case. Accordingly, this Appeal is also disposed of in terms of our order dated 6th January, 2009.

No order as to costs.

.....J.
(S.H. KAPADIA)

.....J.
(AFTAB ALAM)

New Delhi,
February 06, 2009.
ITEM NO.1

COURT NO.5

SECTION III

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).24592/2008

(From the judgement and order dated 29/07/2008 in WP No.16290/2008 of the HIGH COURT OF A.P. AT HYDERABAD)

M/S SHIV-VANI OIL & GAS EXPLORAN.SER.LD. Petitioner(s)

VERSUS

COMMERCIAL TAX OFFICER Respondent(s)

(With prayer for interim relief and office report)

Date: 06/02/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA

HON'BLE MR. JUSTICE AFTAB ALAM

For Petitioner(s) Ms. Pallavi Langar, Adv.
 Mr. Ankur Chawla, Adv.
 Mr. Prithvi Sidhu, Adv.
 for M/s. "Coac", Advs.

For Respondent(s) Mr. Manoj Saxena, Adv.
 Mr. Rajnish Kr. Singh, Adv.
 Mr. Rahul Shukla, Adv.
 Mr. T.V. George, Adv.

UPON hearing counsel the Court made the following
ORDER

Leave granted.

The Appeal is disposed of in terms of the signed order. No
order as to costs.

(N. ANNAPURNA)
COURT MASTER

(MADHU SAXENA)
COURT MASTER

(Signed order is placed on the file)