

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO(s). 550 OF 2007
(FOR PREL. HEARING)

INDIAN OIL CORP.LTD.& ANR.

Petitioner(s)

VERSUS

STATE OF U.P.& ORS.

Respondent(s)

(With appln(s) for ex-Parte stay and exemption from filing O.T. and office report)

WITH

Writ Petitions (C) Nos.573/2007 & 561/2007 (FOR PREL. HEARING)

(With appln(s) for ex-Parte stay and exemption from filing O.T. and office report)

AND Writ Petition (C) No.589/2007

(With appln. for ex-parte stay and exemption from filing O.T. and office report)

Date: 12/10/2007 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA
HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

For Petitioner(s)

in WP 550/07:

Mr. Harish N. Salve, Sr.Adv.
Mr. V.N. Koura, Adv.
Mr. A. Mariarputham, Adv.
Ms. Aruna Mathur, Adv.
Ms. Paramjit Benepal, Adv.

for M/s Arputham, Aruna & Co., Advs.

in WPs 573/07 & Mr. Dhruv Agarwal, Sr.Adv.

589/07: Mr. Praveen Kumar, Adv.

in WP 561/07:

Mr. Harish N. Salve, Sr.Adv.
Mr. S.Ganesh, Sr.Adv.
Mr. Ravinder Narain, Adv.
Mr. Ajay Aggarwal, Adv.
Ms. Kanika Gomber, Adv.
Mr. Rajan Narain, Adv.

...2/-

For Respondent(s)

-State:

Mr. K.K. Venugopal, Sr.Adv.
Mr. Rakesh Dwivedi, Sr.Adv.
Mr. Shail Kr. Dwivedi, AAG.
Mr. Krishnan Venugopal, Adv.
Mr. T.N. Singh, Adv.
Mr. G. Venkateswara Rao, Adv.
Mr. Manoj Kr. Dwivedi, Adv.
Ms. Liz Mathew, Adv.
Ms. Vandana Mishra, Adv.

UPON hearing counsel the Court made the following
ORDER

We are of the view that in these cases, it would be open to the petitioners to move the High Court challenging the constitutional validity of Ordinance No.35/2007 known as the U.P. Tax on Entry of Goods into Local Area Ordinance, 2007. The order of status quo dated 28th September, 2007 shall operate for one week only from today. The said order will come to an end on the expiry of one week from today.

We make it clear that this order of status quo will be there only for one week from today. We do not wish to express any opinion on the merits or on the question as to whether the status quo order should continue or not on expiry of one week.

Subject to above, Writ Petitions are dismissed.

(N. Annapurna)
Court Master

(Madhu Saxena)
Court Master