

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).22116/2007

(From the judgement and order dated 14/09/2007 in MC No. 477/2007 in OJC No. 9724/2000 of The HIGH COURT OF ORISSA AT CUTTACK)

COMMR.OF COMMERCIAL TAXES,ORISSA

Petitioner(s)

VERSUS

M/S K.B.SHAHA & SONS INDIA P.LTD.& ORS.

Respondent(s)

(With prayer for interim relief and office report )

Date: 3/12/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA

HON'BLE MR. JUSTICE J.M. PANCHAL

For Petitioner(s) Mr. Rakesh Dwivedi, Sr. Adv.  
Mrs. Kirti Renu Mishra, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following  
ORDER

Having succeeded, assessee-respondent, seeks refund.  
Issue notice on the limited question as to whether the  
Department is ready to refund the amount if ultimately the  
Department loses in the matter pending before the larger Bench of  
this Court at rate to be fixed by the Court at the final hearing.  
Mr. J.R.Das, learned counsel accepts notice on behalf  
of respondent No.1.  
Leave to amend the petition.  
Stand over for four weeks..

[SUMAN WADHWA]  
COURT MASTER

[MADHU SAXENA]  
COURT MASTER