

ITEM NO.110

COURT NO.4

SECTION IIIA

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 311/2009

M/S JAGGI BROTHERS

Appellant(s)

VERSUS

STATE OF U.P.& ORS.

Respondent(s)

WITH

C.A. No. 312/2009

Date : 10/12/2015 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPAK MISRA  
HON'BLE MR. JUSTICE PRAFULLA C. PANT

For Appellant(s) Mr. Tapas Mishra, Adv.  
Mr. P.N. Gupta, AOR

For Respondent(s) Mr. Rajeev Dubey, Adv.  
Mr. Ravi Prakash Mehrotra, Adv.

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

The appeals stand allowed and the judgment and order passed by the High Court is set aside in terms of the signed order. There shall be no order as to costs.

(Gulshan Kumar Arora)  
Court Master

(H.S. Parasher)  
Court Master

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.311 OF 2009

M/S. Jaggi Brothers

... Appellant

VERSUS

State of U.P. & Ors.

Respondents

WITH

CIVIL APPEAL NO.312 OF 2009

O R D E R

It is submitted by learned counsel for the appellant as well as learned counsel for the State that the controversy is covered by the decision rendered in Commercial Motors Ltd. vs. Commissioner of Trade Tax U.P., Lucknow & Ors. [2015 (9) SCALE 668].

Resultantly, the aforesaid judgment shall apply in full force to the present civil appeals as a result of which the appeals stand allowed and the judgment and order passed by the High Court is set aside. There shall be no order as to costs.

.....,J.  
(Dipak Misra)

.....,J.  
(Prafulla C. Pant)

New Delhi;  
December 10, 2015.