

H

C.A.No. 3381-3400 OF 1998

ITEM No.104

Court No.7

SECTION IIIA

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Civil Appeal Nos.3381-3400 of 1998

STATE OF KERALA & ORS.Appellant(s)

VERSUS

FR. WILLIAM FERNANDEZ & ORS. Respondent (s)

(With appln.(s) for intervention and with office report)

With C.A. No.4651/1998, C.A. No.3592/98,C.A. No.918/1999 (with prayer for interim relief), C.A. No.4476/2000 (with prayer for interim relief and office report), W.P.(C) No.574/2003, W.P.(C) No.66/2004 (with office report)

With

T.C. No...../2004 Arising from T.P.(C) No.422/2003

Date : 24/03/2004 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.N. VARIAVA

HON'BLE MR. JUSTICE H.K. SEMA

For Appellant (s)Mr. K.R. Sasiprabhu, Adv.

Mr. Anil K. Ganguli, Sr. Adv.

Mr. Chandra Prakash, Adv.

Mr. Vivek Singh, Adv.

Mr. Ram Prakash, Adv.

Mr. L.R. Singh, Adv.

Mr. Kirit N. Rawal, S.G.

Mr. V.N. Koura, Adv.

Mr. A. Mariarputham, Adv.

Ms. Aruna Mathur, Adv.

Ms. Paramjit Benipal, Adv. for

M/s Arputham Aruna & Co.

Mr. Ranjit Kumar, Sr.Adv.

Mr. Romy Chacko, Adv.

Mr. Sibho Sankar Mishra, Adv.

For Respondent (s)Mr. M.P. Vinod, Adv.

Mr. Baby Krishnan, Adv.

Mr. B.V. Deepak, Adv.

Mr. Dilip Pillai, Adv.

Mr. Ranjit Kumar, Sr. Adv.

Mr. Romy Chacko, Adv.

Mr. Rajiv Mehta, Adv.

Mr. M.T. George, Adv.

Mr. Himinder Lal, Adv.

Mr. R. Sathish, Adv.

Mr. K.R. Nambiar, Adv.

Mr. C.N. Sree Kumar, Adv.

Mr. Sanjay R. Hegde, Adv.

Mr. Rakesh Dwivedi, Sr. Adv.

Mr. B.B. Singh, Adv.

Mrs. Niranjana Singh, Adv.

Mr. Abhishek Choudhary, Adv.

UPON hearing counsel the Court made the following

O R D E R

In these matters the question pertains to validity of levy of entry tax. Our attention has been drawn to the Judgment of this Court in the case of Jindal Stripe Ltd. & Anr. v. State of Haryana & Ors. reported in (2003) 8 SCC 60, wherein, after considering a number of cases, it has been held that the interpretation of Article 301 vis-a-vis compensatory tax should be authoritatively laid down with certitude by a Constitution Bench under Article 145(3). As the question involved in these matters is the same, we tag all these matters with Civil Appeal No.3453/2002.

Counter affidavit and rejoinder affidavit to be filed, in the meantime.

(K.K. Chawla)

Court Master

(Ramesh Chand)

Court Master