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ITEM NO.10

COURT NO.12

SECTION III

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

RECORD OF PROCEEDINGS

I.A. 3/2016 in Petition(s) for Special Leave to Appeal (C) No(s).

8240/2016

(Arising out of impugned final judgment and order dated 01/12/2014 in DBCWP No. 903/2013 passed by the High Court Of Rajasthan At Jaipur)

M/S INANI MARBLES & MINS, AJMER

Petitioner(s)

VERSUS

THE STATE OF RAJASTHAN AND OTHERS

Respondent(s)

(for restoration and office report)

Date : 11/05/2016 This application was called on for hearing today.

CORAM :

HON&#39;BLE MR. JUSTICE A.K. SIKRI

HON&#39;BLE MR. JUSTICE R.K. AGRAWAL

For Petitioner(s) Mr. Rajiv Shankar Dvivedi, Adv.

Mr. S.K. Sarkar, Adv.

Mr. Abinas Kumar, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following

O R D E R

Order dated 18.03.2016 dismissing the Special Leave Petition is recalled and the Special Leave Petition is restored to its original number. The Interlocutory Application No.3/2016 is allowed.

Leave granted.

List along with Civil Appeal No.3453 of 2002.

Insofar as the interim order(s) is/are concerned, we direct

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the petitioners to pay 50 per cent of the arrears of tax/demand levied under the Rajasthan Tax on Entry of Goods into Local Area Act, 1999 (for short the &#39;Act&#39;), if not already paid, within six weeks&#39; time from today. For the balance amount to furnish Bank Guarantee within the same time.

We clarify that, if, for any reason, the respondent(s)/Sales Tax authorities have recovered any amounts from the petitioners, the petitioners will not claim any refund of the amount(s) so paid.

Insofar as the future payments are concerned, the petitioners shall pay the entire demands. If, for any reason, the respondent fails to refund the moneys due to the assesseees/traders/businessmen/company(s), the amount will carry statutory interest.

(Ashwani Thakur) (Tapan Kr. Chakraborty )

COURT MASTER

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