

SECTION IIIA
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 8240 OF 2015 & 583 OF 2016

WAVES HOTELS & ESTATE PVT. LTD.

....APPELLANT

VERSUS

STATE OF RAJASTHAN & ORS.

....RESPONDENTS

OFFICE REPORT

CIVIL APPEAL NO. 8240 OF 2015

The matter above-mentioned was listed before the Hon'ble Court on 1st October, 2015 when the following order was passed:-

"Leave granted.

Insofar as the interim orders are concerned, we direct the appellant(s) to pay 50 per cent of the arrears of the tax/demand levied under the Rajasthan Tax on Entry of Goods into Local Area Act, 1999, if not already paid, within six weeks' 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 appellant(s), the appellant(s) will not claim any refund of the amounts so paid.

Insofar as the future payments are concerned, the appellant(s) shall pay the entire demands.

If, for any reason, the appellant(s) succeed in these matters, the respondent-State shall refund the entire amount within a month's time from the date of the order passed by this Court.

If, for any reason, the respondent fail to refund the moneys due to the assesseees/traders/businessmen/company(s), the amount will carry statutory interest.

List along with Civil Appeal No. 3453 of 2002."

CIVIL APPEAL NO. 583 OF 2016

The matter above-mentioned was listed before the Hon'ble Court on 27th January, 2016 when the following order was passed:-

"Exemption from filing OT is allowed.

"Leave granted.

Insofar as the interim orders are concerned, we direct the petitioner to pay 50 per cent of the arrears of the tax/demand levied under the Rajasthan Tax on Entry of Goods into Local Area Act, 1999, if not already paid, within six weeks' 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 petitioner(s), the petitioner(s) will not claim any refund of the amounts so paid.

Insofar as the future payments are concerned, the petitioner(s) shall pay the entire demands.

If for any reason, the petitioner(s) succeed in this matter, the respondent shall refund the entire amount within month's time from the date of the order passed by this Court.

If, for any reason, the respondent(s) fails to refund the moneys due to the assesses/traders/businessmen/company(s), the amount will carry statutory interest.

Tag with C.A. No. 3453 of 2002.

It is submitted that the Counsel for the Appellant has not filed Spare Copy of the petition for issue of Notice of Lodgement and Petition of Appeal and for the record of High Court in the above-mentioned matters. Hence, Notice of Lodgement and Petition of Appeal could not be issued.

The matters above-mentioned are listed before Ld. Registrar Court with this Office Report.

DATED THIS THE 5THDAY OF APRIL, 2016.

ASSISTANT REGISTRAR

COPY TO:

Mr. T. Mahipal, Advocate.

Mr. Sudhansu Palo, Advocate.

ASSISTANT REGISTRAR