

:ITEM NO.16

COURT NO.8 SECTION III
S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 1690/2016
(Arising out of impugned final judgment and order dated 15/12/2015
in DBCWP No. 16922/2015 passed by the High Court of Rajasthan at
Jaipur)

M/S. SAMSUNG INDIA ELECTRONICS PVT. LTD. Petitioner(s)
VERSUS

STATE OF RAJASTHAN AND ORS. Respondent(s)
(With appln. (s) for exemption from filing O.T. and interim relief
and office report)

Date : 27/01/2016 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MADAN B. LOKUR

HON'BLE MR. JUSTICE R.K. AGRAWAL

For Petitioner(s) Mr. Aneesh Mittal, Adv.

Mr. Sudhansu Palo, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following

O R D E R

Exemption from filing OT is allowed.

Leave granted.

Insofar as 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),

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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.

(Meenakshi Kohli) (Jaswinder Kaur)

Court Master Court Master

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