

ITEM NO.39

COURT NO.1

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). 30396/2015

(Arising out of impugned final judgment and order dated 04/09/2015 in DBCWP No. 5946/2015 passed by the High Court of Rajasthan at Jodhpur)

BSL LTD. AND ANR.

Petitioner(s)

VERSUS

STATE OF RAJASTHAN AND ORS.

Respondent(s)

(with interim relief and office report)

Date : 02/11/2015 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE AMITAVA ROYFor Petitioner(s) Mr. Manish Kumar, Adv.
Mr. Piyush Kaushik, Adv.
Ms. Divya Roy, Adv.

For Respondent(s)

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

Notice.

Insofar as the interim order is concerned, we direct the petitioners 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 petitioners, the petitioners will not claim any refund of the amounts so paid.

Insofar as the future payments are concerned, the petitioners shall pay the entire demands.

If, for any reason, the petitioners succeed in the matter, 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 fails 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.

(Neetu Khajuria)
Sr.P.A.

(Vinod Kulvi)
Assistant Registrar