

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (C) Nos. 411-421 OF 2015 AND
1599-1601 of 2015
WITH
PRAYER FOR INTERIM RELIEF

M/s. K. P. Automobiles Pvt. Ltd.Petitioner

Versus

State of Rajasthan & Ors.Respondent

OFFICE REPORT

SLP (C) No. 411-421 OF 2015

The matter was listed before Hon'ble Court alongwith other connected matters on 12th January, 2015 when the Court was pleased to pass the following order :-

“Application(s) for exemption from filing Official Translation is/are allowed.

Issue Notice.

Mr. Puneet Jain, learned counsel, on caveat, enters appearance and accepts notice on behalf of the State of Rajasthan.

Insofar as the interim orders are 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.

List along with C.a. No. 3453/2002 @ SLP (C) No. 16351/2007. ”

Accordingly, Show Cause Notice was issued on 18th February, 2015 through Ms. Pratibha Jain, Advocate who appeared and accepted the notice before Hon'ble Court on behalf of all the three Respondents/State.

It is submitted that Counsel for all the three Respondents has not filed Vakalatnama/ Appearance and Counter Affidavit so far.

SLP (C) No. 1599-1601 OF 2015

The matter was listed before Hon'ble Court alongwith other connected matters on 30th January, 2015 when the Court was pleased to pass the following order :-

“Application(s) for exemption from filing Official Translation is/are allowed.

Issue Notice.

Mr. Puneet Jain, learned counsel, enters appearance and accepts notice on behalf of the State of Rajasthan.

Insofar as the interim orders are 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 petitioner (s) shall pay the entire demands.

If, for any reason, the petitioner (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 C.a. No. 3453/2002 @ SLP (C) No. 16351/2007. ”

Accordingly, Show Cause Notice was issued on 23rd March, 2015 to all the Four Repondents by Regd. A. D. Post. Ms. Ruchi Kohli, Advocte has on 14th May, 2015 filed Vakalatnama/Appearance on behalf of all the Four Respondents but has not filed Counter Affidavit so far.

The Office Report is listed before the Ld. Registrar's Court for orders.

Dated this the 21st Day of September, 2015.

ASSISTANT REGISTRAR

Copy to:

1. Mr. Mukul Kumar, Advocate
29, Lawyers' Chambers
Supreme Court of India.
2. Ms. Ruchi Kohli, Advocate
(Standing Counsel for the State of Rajasthan)
69, Lawyers' Chambers

ASSISTANT REGISTRAR

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