

ITEM NO.32+70

COURT NO.1

SECTION XV/III

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

Petition(s) for Special Leave to Appeal (C)...CC No(s).12697/2015

(Arising out of impugned final judgment and order dated 01/12/2014 in DBCWP No. 15362/2011 passed by the High Court of Rajasthan at Jaipur)

AMD INDUSTRIES LTD.

Petitioner(s)

VERSUS

THE STATE OF RAJASTHAN & ORS.

Respondent(s)

(With appln. (s) for c/delay in filing SLP and office report)

With

S.L.P. (C)...CC No.13061/2015

(With appln.(s) for c/delay in filing and refiling SLP and office report)

Date: 16/07/2015 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MR. JUSTICE AMITAVA ROY

For Petitioner(s) Mr. Kaushik Choudhuri, Adv.
For Mr. Sunil Kumar Jain, Adv.

Mr. Rishabh Sancheti, Adv.
For Mr. T. Mahipal, Adv.

For Respondent(s)

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

Delay condoned.

Notice.

Insofar as the interim orders are concerned,
we direct the petitioner(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 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 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.

(Neetu Khajuria)
Sr.P.A.

(Vinod Kulvi)
Assistant Registrar