

ITEM NO.37+80

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)...CC No(s).

8797/2015

(Arising out of impugned final judgment and order dated 01/12/2014
in DBCWP No. 5707/2011 passed by the High Court of Rajasthan at
Jaipur)

M/S. JAQUAR & CO. PVT. LTD.

Petitioner(s)

VERSUS

STATE OF RAJASTHAN & ANR.

Respondent(s)

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

With

SLP(C)No.14828/2015

(With appln.(s) for exemption from filing c/c of the impugned
judgment and from filing O.T., prayer for interim relief and
office report)

SLP(C) No.14854/2015

(With appln.(s) for exemption from filing c/c of the impugned
judgment, prayer for interim relief and office report)

SLP(C)..CC No.8941/2015

(With appln.(s) for c/delay in filing the SLP)

SLP(C)..CC No.8945/2015

(With appln.(s) for c/delay in filing the SLP)

SLP(C)..CC No.9028/2015

(With appln.(s) for c/delay in filing the SLP)

Date: 15/05/2015 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE ARUN MISHRA

Signature Not Verified

For Petitioner(s)

Digitally signed by

Mr. Gaurav Singh, Adv.

NEETU KHAJURIA

Date: 2015.05.18

11:52:43 IST

Mr. Vikas Singh Jangra, Adv.

Reason:

Mr. Jeevesh Mehta, Adv.

Mr. Bhakti Vardhan Singh, Adv.

Mr. Amit Kumar Pathak, Adv.

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Mr. Rajiv Shanker Dvivedi, Adv.

Ms. Arti Dvivedi, Adv.

Mr. Pankaj Ghiya, Adv.

Mr. Sushant Kumar Sarkar, Adv.

Mr. Bal Krishan Sharma, Adv.

Ms. Madhvi Sharma, Adv.

Md. Ziauddin Ahmad, Adv.

Mr. Abinash Kumar, Adv.

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 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.

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If, for any reason, the petitioners 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