

ITEM NO.56 +90

COURT NO.1

SECTION 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) No(s). 11888/2015

(Arising out of impugned final judgment and order dated 11/12/2014 in DBWP No. 6749/2009 passed by the High Court of Rajasthan at Jodhpur)

BHARAT SANCHAR NIGAM LTD., JODHPUR

Petitioner(s)

VERSUS

STATE OF RAJASTHAN &amp; ORS.

Respondent(s)

(With appln. (s) for exemption from filing O.T., prayer for interim relief and office report)

With

SLP(C)..CC No.7465/2015

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

SLP(C)..CC No.7576/2015

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

Date: 24/04/2015 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE ARUN MISHRA

For Petitioner(s) Mr. K.C. Kaushik, Adv.  
Mr. Rahul Kaushik, Adv.  
Ms. Bhuvneshwari Pathak Kaushik, Adv.

Mr. Rajiv Shankar Dvivedi, 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 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 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