

ITEM NO.14

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

I.A.NO.3 in  
Petition for Special Leave to Appeal (C) No(s). 91/2015

(Arising out of impugned final judgment and order dated  
11/12/2014 in CWP No. 6198/2006 passed by the High Court Of  
Rajasthan At Jodhpur)

M/S AMBUJA CEMENTS LTD. Petitioner(s)

VERSUS

STATE OF RAJASTHAN & ORS. Respondent(s)

(For clarification of order dated 12.1.2015 and office report)

Date : 23/03/2015 This application was called on  
for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE M.Y. EQBAL  
HON'BLE MR. JUSTICE ARUN MISHRA

For Petitioner(s) Mr. M. P. Devanath, Adv.  
Mr. Bhyvnesh Satija, Adv.  
Mr. Ambarish Pandey, Adv.  
Mr. Aditya Byhattacharya, Adv.

For Respondent(s) Mr. Puneet Jain, Adv.  
Ms. Christi jain, Adv.  
Mr. Abhinav Gupta, Adv.  
Ms. Chhaya Kirti, Adv.  
Ms. Pratibha Jain, Adv.  
  
Mr. S.S. Shamsheri, AAG  
Mr. Amit sharma, Adv.  
Mr. Sandeep Singh, Adv.  
Ms. Ruchi Kohli, Adv.

Signature Not Verified

Digitally signed by  
Charanjeet Kaur  
Date: 2015.03.23  
16:55:05 IST

UPON hearing the counsel the Court made the following

Reason:

O R D E R

Order dated 12.01.2015 shall be read as :

2

"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 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.

If for any reason, the petitioner(s) succeed in this matter, the respondent-State shall refund the entire amount within month's time from the date of the order passed by this Court.

If, for any reason, the respondent(s) fails 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 of 2002."

Accordingly, I.A. No. 3 is disposed of.

[ Charanjeet Kaur ]  
Court Master

[ Vinod Kulvi ]  
Asstt. Registrar

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ITEM NO.14 (i)

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

I.A.NO.4 in  
Petition for Special Leave to Appeal (C) No(s). 445/2015

(Arising out of impugned final judgment and order dated 01/12/2014 in CWP No. 3650/11 passed by the High Court of Rajasthan At Jaipur)

VODAFONE ESSAR SOUTH LTD. Petitioner(s)  
FORMERLY KNOWN AS HUTCHISON ESSAR  
SOUTH LTD.

VERSUS

STATE OF RAJASTHAN & ORS. Respondent(s)  
(For Directions and office report)

Date : 23/03/2015 This application was called on  
for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE M.Y. EQBAL  
HON'BLE MR. JUSTICE ARUN MISHRA

For Petitioner(s) Mr. Kavin Gulati, Sr. Adv.  
Ms. Ruby Singh Ahuja, Adv.  
Mr. R.N. Karanjawala, Adv.  
Mr. Ishaan Gaur, Adv.  
Ms. Aakanksha Munjal, Adv.  
Mrs.Manik Karanjawala, Adv.  
M/s Karanjawala & Co., Advs.

For Respondent(s) Mr. Puneet Jain, Adv.  
Ms. Christi jain, Adv.  
Mr. Abhinav Gupta, Adv.  
Ms. Chhaya Kirti, Adv.  
Ms. Pratibha Jain, Adv.

Mr. S.S. Shamsheri, AAG  
Mr. Amit sharma, Adv.  
Mr. Sandeep Singh, Adv.  
Ms. Ruchi Kohli, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Order dated 12.01.2015 shall be read as :

4

"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 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.

If for any reason, the petitioner(s) succeed in  
this matter, the respondent-State shall refund the  
entire amount within month's time from the date of  
the order passed by this Court.

If, for any reason, the respondent(s) fails 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 of 2002."

Accordingly, I.A. No. 4 is disposed of.

[ Charanjeet Kaur ]  
Court Master

[ Vinod Kulvi ]  
Asstt. Registrar

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ITEM NO.14 (ii)

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

I.A.NO.3 in

Petition for Special Leave to Appeal (C)

No(s). 508/2015

(Arising out of impugned final judgment and order dated 01.12.2014 in WP No. CWP No. 13525/2009 passed by the High Court Of Rajasthan At Jaipur)

M/S ADANI WILMAR LTD.

Petitioner(s)

VERSUS

STATE OF RAJASTHAN & ORS.  
(For directions and office report)

Respondent(s)

Date : 23/03/2015 This application was called on  
for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE M.Y. EQBAL  
HON'BLE MR. JUSTICE ARUN MISHRA

For Petitioner(s) Mr. Kavin Gulati, Sr. Adv.  
Ms. Ruby Singh Ahuja, Adv.  
Mr. R.N. Karanjawala, Adv.  
Mr. Ishaan Gaur, Adv.  
Ms. Aakanksha Munjal, Adv.  
Mrs. Manik Karanjawala, Adv.  
for M/s Karanjawala & Co. Advs.

For Respondent(s) Mr. Puneet Jain, Adv.  
Ms. Christi jain, Adv.  
Mr. Abhinav Gupta, Adv.  
Ms. Chhaya Kirti, Adv.  
Ms. Pratibha Jain, Adv.  
  
Mr. S.S. Shamsheri AAG  
Mr. Amit sharma, Adv.  
Mr. Sandeep Singh, Adv.  
Ms. Ruchi Kohli, Adv.

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

Order dated 12.01.2015 shall be read as :

6

"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 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.

If for any reason, the petitioner(s) succeed in this matter, the respondent-State shall refund the entire amount within month's time from the date of the order passed by this Court.

If, for any reason, the respondent(s) fails 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 of 2002."

Accordingly, I.A. No. 3 is disposed of.

[ Charanjeet Kaur ]  
Court Master

[ Vinod Kulvi ]  
Asstt. Registrar

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ITEM NO.14(iii)

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

I.A.NO.4 in  
Petition for Special Leave to Appeal (C) No(s). 510/2015

(Arising out of impugned final judgment and order dated  
18/12/2014 in CWP No. 784/2007 passed by the High Court Of  
Rajasthan At Jodhpur)

BHARTI HEXACOM LTD.

Petitioner(s)

VERSUS

STATE OF RAJASTHAN & ORS.

Respondent(s)

(For clarification of order dated 12.1.2015 and office report)

Date : 23/03/2015 This application was called on  
for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE M.Y. EQBAL  
HON'BLE MR. JUSTICE ARUN MISHRA

For Petitioner(s) Mr. S.K. Bagaria, Sr. Adv.  
Mr. Alok Yadav, Adv.  
Mr. Harish Pandey, Adv.

For Respondent(s) Mr. Puneet Jain, Adv.  
Ms. Christi jain, Adv.  
Mr. Abhinav Gupta, Adv.  
Ms. Chhaya Kirti, Adv.  
Ms. Pratibha Jain, Adv.

Mr. S.S. Shamsheri, AAG  
Mr. Amit sharma, Adv.  
Mr. Sandeep Singh, Adv.  
Ms. Ruchi Kohli, Adv.

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

Order dated 12.01.2015 shall be read as :

"Application(s) for exemption from filing

Official Translation is/are allowed.

8

Issue Notice.

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

Insofar as 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.

If for any reason, the petitioner(s) succeed in this matter, the respondent-State shall refund the entire amount within month's time from the date of the order passed by this Court.

If, for any reason, the respondent(s) fails 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 of 2002."

Accordingly, I.A. No. 4 is disposed.

[ Charanjeet Kaur ]  
Court Master

[ Vinod Kulvi ]  
Asstt. Registrar

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ITEM NO.14(iv)

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

I.A.NO.3 in

Petition for Special Leave to Appeal (C) No(s). 664/2015

(Arising out of impugned final judgment and order dated 01/12/2014 in CWP No. 12768/2010 passed by the High Court Of Rajasthan At Jaipur)

VODAFONE ESSAR DIGILINK LTD.  
FORMERLY KNOWN AS AIRCEL DIGILINK INDIA LTD.

Petitioner(s)

VERSUS

STATE OF RAJASTHAN & ORS.  
(For directions and office report)

Respondent(s)

Date : 23/03/2015 This application was called on  
for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE M.Y. EQBAL  
HON'BLE MR. JUSTICE ARUN MISHRA

For Petitioner(s) Mr. Kavin Gulati, Sr. Adv.  
Ms. Ruby Singh Ahuja, Adv.  
Mr. R.N. Karanjawala, Adv.  
Mr. Ishaan Gaur, Adv.  
Ms. Aakanksha Munjal, Adv.  
Mrs. Manik Karanjawala, Adv.  
for M/s Karanjawala & Co. Advs.Mr.

For Respondent(s) Mr. Puneet Jain, Adv.  
Ms. Christi jain, Adv.  
Mr. Abhinav Gupta, Adv.  
Ms. Chhaya Kirti, Adv.  
Ms. Pratibha Jain, Adv.

Mr. S.S. Shamsheeri AAG  
Mr. Amit sharma, Adv.  
Mr. Sandeep Singh, Adv.  
Ms. Ruchi Kohli, Adv.  
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UPON hearing the counsel the Court made the following  
O R D E R

Order dated 12.01.2015 shall be read as :

"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 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.

If for any reason, the petitioner(s) succeed in  
this matter, the respondent-State shall refund the  
entire amount within month's time from the date of  
the order passed by this Court.

If, for any reason, the respondent(s) fails 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 of 2002."

Accordingly, I.A. No. 3 is disposed of.

[ Charanjeet Kaur ]  
Court Master

[ Vinod Kulvi ]  
Asstt. Registrar  
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ITEM NO.14 (v) 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

I.A.NO.4 in  
Petition for Special Leave to Appeal (C) No(s). 668/2015

(Arising out of impugned final judgment and order dated  
11/12/2014 in CWP No. 6296/2010 passed by the High Court Of  
Rajasthan At Jodhpur)

M/S ADANI POWER LTD. Petitioner(s)

VERSUS

STATE OF RAJASTHAN & ORS. Respondent(s)

(For directions and office report)

Date : 23/03/2015 This application was called on  
for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE M.Y. EQBAL  
HON'BLE MR. JUSTICE ARUN MISHRA

For Petitioner(s) Mr. Kavin Gulati, Sr. Adv.  
Ms. Ruby Singh Ahuja, Adv.  
Mr. R.N. Karanjawala, adv.  
Mr. Ishaan Gaur, Adv.  
Ms. Aakansha Munjal, Adv.  
Mrs. Manik Karanjawala, Adv.  
for M/s. Karanjawala & Co., Advs.

For Respondent(s) Mr. Puneet Jain, Adv.  
Ms. Christi jain, Adv.  
Mr. Abhinav Gupta, Adv.  
Ms. Chhaya Kirti, Adv.  
Ms. Pratibha Jain, Adv.

Mr. S.S. Shamsheri AAG  
Mr. Amit sharma, Adv.  
Mr. Sandeep Singh, Adv.  
Ms. Ruchi Kohli, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Order dated 12.01.2015 shall be read as :

12

"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 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.

If for any reason, the petitioner(s) succeed in this matter, the respondent-State shall refund the entire amount within month's time from the date of the order passed by this Court.

If, for any reason, the respondent(s) fails 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 of 2002."

Accordingly, I.A. No 4 is disposed of.

[ Charanjeet Kaur ]  
Court Master

[ Vinod Kulvi ]  
Asstt. Registrar