

Revised

ITEM NO.23

COURT NO.1

SECTION XV

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). 2483/2015

(Arising out of impugned final judgment and order dated 11/12/2014 in WP No. 3884/2006 passed by the High Court Of Rajasthan At Jodhpur)

DINESH TOBACCO INDUSTRIES

Petitioner(s)

VERSUS

STATE OF RAJASTHAN & ORS.

Respondent(s)

(with interim relief and office report)

Date : 27/02/2015 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE A.K. SIKRI

For Petitioner(s) Mr.Sanjay Lodha, Adv.
Mr.R.Sancheti, Adv.
Mr. T. Mahipal,Adv.

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

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

Notice.

Insofar as the interim orders are concerned, we direct the petitioner to pay 50 per cent of the arrear 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, the petitioner will not claim any refund of the amounts so paid.

Insofar as the future payment are concerned, the petitioner shall pay the entire demands.

If, for any reason, the petitioner succeeds in this matter, 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 respondent fails to refund the moneys due to the assessee/traders/businessmen/company(s), the amount will carry statutory interest.

Tag with S.L.P. (C)No.91 of 2015.

(G.V.Ramana)
Court Master

(Vinod Kulvi)
Asstt.Registrar

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