

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CC 8865/2013

Petition(s) for Special Leave to Appeal (Civil)...../2013
(From the judgement and order dated 09/10/2012 in WPC No.1087/2008 of the
HIGH COURT OF ORISSA AT CUTTACK)

INDIAN METALS & FERRO ALLOYS LTD.

Petitioner(s)

VERSUS

STATE OF ORISSA & ORS.

Respondent(s)

WITH S.L.P.(C)...CC NO. 9317 of 2013

S.L.P.(C)...CC NO. 9389 of 2013

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

Date: 29/04/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU

HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR

For Petitioner(s) Mr.Bhaskar Gupta, Sr.Adv.

Mr. Shibashish Misra,Adv.

Mr.Suvinay Dash, Adv.

For Respondent(s) Ms.Kirti R.Mishra, Adv.

Ms.Apurva Upmanyu, Ad.

UPON hearing counsel the Court made the following

O R D E R

Delay condoned.

Issue notice.

Tag with Special Leave Petition(Civil) No.33923 of 2012 etc..

Shri Gupta, learned senior counsel for the petitioner would
submit that this Court may grant him interim order towards the future
demands that may be raised by the respondent-authorities.

: 2 :

Ms.Kirti Mishra, learned counsel appearing for the respondents
also accedes to the request made by the learned senior counsel for the
petitioner.

Accordingly, insofar as the future transactions and the demands
that may be raised by the respondents are concerned the petitioner is
directed to pay 50% of the aforesaid demands within a month's time

from the date of the demand(s) so raised. If, for any reason, the petitioner fails to comply with the order(s) and direction(s) passed by this Court, the respondents would be at liberty to recover the entire tax liability with interest and also the penalty.

We make it clear that, if for any reason, the petitioner(s) succeed in these matters, the respondent-authorities shall refund the amount(s) paid by the petitioner(s) pursuant to the interim orders passed by us within 30 days' time from the date of the order with statutory interest.

Ordered accordingly.

(G.V.Ramana)
Court Master

(Vinod Kulvi)
Asstt.Registrar