

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 (Civil) No(s).25707-25736/2013

(From the judgement and order dated 24/04/2013 in SCA Nos. 677-706 of 2010 of The HIGH COURT OF GUJARAT AT AHMEDABAD)

SURAT MUNICIPAL CORPN.

Petitioner(s)

VERSUS

BHARTI INFRATEL LTD AND ANR

Respondent(s)

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

Date: 06/09/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA

HON'BLE MR. JUSTICE MADAN B. LOKUR

For Petitioner(s)

Mr. Prashant G. Desai, Sr. Adv.
Mr. Dhaval Nanavati, Adv.
Mr. M. Purohit, Adv.
Mr. Mohit Paul, Adv.

For Respondent(s)

Mr. Abhishek Vinod Deshmukh, Adv. for
M/S. Parekh & Co..

UPON hearing counsel the Court made the following

O R D E R

Leave granted.

Hearing expedited.

The order of refund passed by the High Court is stayed subject to the appellant depositing the said amount before this Court within eight weeks from today. Upon such deposit, the Registry shall invest the same in fixed deposit as per Circular No.

F. 7/Judl./2007 dated April 24, 2007 initially for a period of one year, renewable thereafter for the same period each time till disposal of the Appeals.

It is clarified that the appellant may determine the tax on mobile towers under the Gujarat Provincial Municipal Corporation Act, 1949 and raise demand on the respondents. However, such demand shall not be enforced against the respondents until disposal of the Appeals.

Moreover, determination of such tax shall be subject to the final decision in the Appeals.

Connect with Civil Appeal Nos. 6836-6926 of 2013.

|(Pardeep Kumar)
|Court Master

|(Renu Diwan)
|Court Master