

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

Petition(s) for Special Leave to Appeal (Civil) No(s).493/2012
(From the judgement and order dated 23/09/2011 in WPC No.202/2011
of The HIGH COURT OF DELHI AT N. DELHI)

NINETY NINE GEN.RETAIL P.LTD.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

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

Date: 02/03/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE ANIL R. DAVE

For Petitioner(s) Mr. Santosh Kumar, Adv.
Mr. M.A. Niyazi, Adv.
for Mr. Mushtaq Ahmad, Adv.

For Respondent(s)

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

Leave granted.

The appeal will be heard on the SLP Paper
Book. Additional documents, if any, may be filed
by the parties.

Having heard learned counsel for the
appellants on the question of stay with regard to
the arrears of service tax as on 30th

..2/-

: 2 :

September, 2011, we direct that subject to
appellant's clearing all the arrears payable as on
the said date in three equated instalments, payable
on or before 15th March, 2012; 15th May, 2012 and
15th July, 2012, no coercive steps shall be taken
against the appellant for the recovery of the said
arrears. However, in the event of default on the
part of the appellants in deposit of any one of the
instalments by the due date, it will be open to the
respondents to recover the entire amount in arrears
forthwith.

We clarify that there is no stay of
imposition of service tax under sub-clause (zzzz)
of clause (105) of Section 65 read with Section 66
of the Finance Act, 1994 (as amended), insofar as
the future liability towards service tax with
effect from 1st October, 2011 is concerned.
Tag with Civil Appeal No. 8390 of 2011.

Court Master

Court Master