

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

Petition for Special Leave to Appeal (Civil) No.1084/2012
(From the judgment and order dated 23/09/2011 in
No.5241/2010 of The HIGH COURT OF DELHI AT N. DELHI)

WP

M/S SUPREME MOTORS 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 with prayer for interim relief and office report)

Date: 24/02/2012 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. Amit Gupta, Adv.
Mr. Sarva Mitter, Adv.
for M/S Mitter & Mitter Co.

For Respondent(s) Mr. S. Wasim A. Qadri, Adv.
Mr. Gaurav Sharma, Adv.
Mr. Zaid Ali, Adv.
Mr. D.S. Mahra, Adv.

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
appellant on the question of stay with regard to
the arrears of service tax as on 30th September,
2011, we direct that subject to appellant's
clearing all the arrears due as on the said date,
on or before 31st March, 2012, no coercive steps
shall be taken against the appellant for the
recovery of the said arrears. However, in the event

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of default on the part of the appellant in
depositing the said arrears by the afore-noted
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.

[Charanjeet Kaur]
Court Master

[Kusum Gulati]
Court Master