

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.36466/2011  
(From the judgment and order dated 23/09/2011 in WP  
No.3398/2010 of The HIGH COURT OF DELHI AT N. DELHI)

DEVYANI INTERNATIONAL LTD. Petitioner(s)

VERSUS

U.O.I. AND ORS Respondent(s)

(With appln(s) for impleadment and permission to file additional documents and office report)

Date: 06/01/2012 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. Rishi Kapoor, Adv.  
Mr. Raj Kishore Choudhary, Adv.  
Ms. Gitanjali Kapoor, Adv.  
Mr. Ravi Kumar Tomar, Adv.

For Respondent(s) Mr. Harsh P Parekh, Adv.  
Mr. S.K. Sahil, Adv.  
Mr. Anando Mukherjee, Adv.  
Mr. B. Krishna Prasad, Adv.  
Mr.A.K. Sharma, Adv.

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

Application for impleadment is dismissed.

Leave granted.

The appeal will be heard on the SLP Paper  
Books. 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 due as on 31st

..2/-

: 2 :

December, 2011, we direct that on appellant's  
clearing all the arrears as on the said date in  
three equated instalments, on or before 29th  
February, 2012; 30th April, 2012 and 30th June,

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 appellant 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 January, 2012 is concerned.

Tag with Civil Appeal No. 8390 of 2011.

[ Charanjeet Kaur ]  
Court Master

[ Kusum Gulati ]  
Court Master