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SLP(C)No. 12081 OF 2002

ITEM No.MM14

Court No. 6

SECTION XI

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.12081/2002

(From the judgement and order dated 24/05/2002 in CMWP 1837/02
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

MOHAN MEAKINS LTD.

Petitioner (s)

VERSUS

STATE OF U.P & ORS.

Respondent (s)

(With prayer for interim relief)
(With Appln(s). for exemption from filing O.T.)

Date : 24/06/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE RUMA PAL) Vacation Bench
HON'BLE MR. JUSTICE ASHOK BHAN)

For Petitioner (s)

Mr. Pankaj Kalra,Adv.

For Respondent (s)

Mr.Rakesh Dwivedi, Sr.Adv.,
Mr.A.B. Rohatgi, Sr.Adv.,
Mr.Ashok K. Srivastava,Adv.

UPON being mentioned & hearing counsel the Court made the following

O R D E R

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Taken on Board.

Issue notice.

Mr. Ashok K. Srivastava, the learned counsel
accepts notice on behalf of the respondents. Mr.Rakesh
Dwivedi, the learned senior counsel appearing for the
respondents states that he does not wish to file counter
affidavit and that the matter may be disposed of on the
basis of the papers available before this Court.

:-2:-

Having considered the material, we are of the view
that the order impugned before us should be upheld subject
to this modification that the petitioner is granted stay of
the demand of Rs.46,60,776.98 subject to its depositing that
amount with the respondents within four weeks from today.

It is made clear that in the event the petitioner is ultimately successful in having the demand against it quashed, the respondents will refund the entire amount together with interest at the prevailing bank rate within four weeks from the date of such decision.

As the matter is disposed of at the preliminary stage, the allegations contained in the SLP are not admitted by the respondents.

The special leave petition stands disposed of accordingly.

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(Vijay Kumar Sharma)
Court Master

(K.K. Chadha)
Court Master