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SLP(C)No. 12112 OF 2003
ITEM No.7

Court No. 4

SECTION III

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.12112/2003

(From the judgement and order dated 28/03/2003 in CWJC 7821/02
of The HIGH COURT OF PATNA)

ASSOCIATED CEMENT CO. LTD.

Petitioner (s)

VERSUS

STATE OF BIHAR & ORS.

Respondent (s)

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

Date : 28/07/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.C. LAHOTI
HON'BLE MR. JUSTICE ASHOK BHAN

For Petitioner (s)Mr. P. Chidambaram, Sr. Adv.
Mr. U.A. Rana, Adv.
Mr. Arvind Kumar, adv.

M/s Gagrat & Co.,Adv.

For Respondent (s)

UPON hearing counsel the Court made the following

O R D E R

Learned counsel for the petitioner submits that the interpretation placed by the High Court on the language of Section 3 of the Bihar Tax on Entry of Goods into Local Areas for Consumption, Use or Sale Therein Act, 1993 (Act XVI of 1993) is not correct and in any case adjustment of Entry Tax to the extent to which the petitioner is actually paying the sales tax should have been allowed.

Issue notice.

Prayer for interim relief is not pressed as the learned counsel for the petitioner submits that the petitioner is already paying tax under protest.

(Ajay Kr. Jain)

(V.P.Tyagi)

Court Master

Court Master