

ITEM NO.26

COURT NO.1

SECTION III

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 3757/2015

(Arising out of impugned final judgment and order dated
01/12/2014 in DBCWP No. 4843/2010 passed by the High Court Of
Rajasthan At Jaipur)

M/S RAJASTHAN SWITCHGEARS & TRANSFORMERS (M/S RAJASTHAN
TRANSFORMERS & SWITCHGEARS) (A UNIT OF RTS
POWER CORPORATION LTD.) Petitioner(s)

VERSUS

STATE OF RAJASTHAN & ORS. Respondent(s)

(With interim relief and office report)

Date :13/03/2015 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s) Mrs. Priya Puri, Adv.
Mr. Ranjay Kr. Duney, Adv.
Mr. Bishwajit Roy, Adv.

For Respondent(s)

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

Issue Notice.

Insofar as interim orders are concerned, we
direct the petitioner(s) to pay 50 per cent of the
arrears of the tax/demand levied under the Rajasthan
Tax on Entry of Goods into Local Area Act, 1999, if
not already paid, within six weeks' time from today.
For the balance amount to furnish Bank Guarantee
within the same time.

We clarify that, if, for any reason, the respondent(s)/Sales Tax authorities have recovered any amounts from the petitioner(s), the petitioner(s) will not claim any refund of the amounts so paid.

Insofar as the future payments are concerned, the petitioner(s) shall pay the entire demands.

If for any reason, the petitioner(s) succeed in this matter, the respondent-State shall refund the entire amount within month's time from the date of the order passed by this Court.

If, for any reason, the respondent(s) fails to refund the moneys due to the assesseees/traders/businessmen/company(s), the amount will carry statutory interest.

Tag with SLP(C) No. 662/2015.

[Charanjeet Kaur]
Court Master

[Vinod Kulvi]
Asstt. Registrar