

From

Excise & Taxation Commissioner
Haryana.

To

All the Dy. Excise & Taxation Commissioner (ST)
In the State of Haryana

Memo No. 743/F. No. 783/2001/ST-2,
Chandigarh, dated the 10.5.02

Subject: Recovery of LADT- SLPs before Supreme Court-Order.

MEMO

Please find enclosed copy of Order passed by Hon'ble Supreme Court of India in the case of Jindal Strips Ltd., and ANR V/s State of Haryana and ORS.. You are requested to bring it to the notice of all the officers/officials working under you for strict compliance and observance.

Asstt. Excise and Taxation Officer (ST),
for Excise & Taxation Commissioner, Haryana.

Endst. No.144 /F. No./783/2001/ST-2, Chandigarh, dated the 10.5.2002

A copy with copy of the order of Apex Court is sent to the following for information.

1. Addl. Excise & Taxation Commissioner, Institute of Public Administration, 76 HIPA Complex, Sector-18, Gurgaon.
2. Joint Excise & Taxation Commissioner (Division/Range) Ambala, F/Bad, Gurgaon, Hisar.
3. All Joint Excise & Taxation Commissioner (Appeals) in the State of Haryana.
4. All Dy. Excise & Taxation Commissioner (I/E) in the State of Haryana.
5. Senior Deputy Accountant General (Audit), Haryana, Chandigarh.
6. Dy. Excise & Taxation Commissioner (Vigilance), Haryana Bureau, Chandigarh.

Asstt. Excise and Taxation Officer (ST),
for Excise & Taxation Commissioner, Haryana.

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition (s) For Special Leave To Appeal (Civil) No. 6815/2002

(From the judgement and order dated 21.12.2001 in WP 6630/00
of the High Court of Punjab & Haryana at Chandigarh)

JINDAL STRIPS LTD. & ANR.

Vs.

Petitioner (s)

STATE OF HARYANA & ORS.

Respondent (s)

(With prayer for interim relief and office report)
with

SLP (C) ... CC 3690/2002, SLP (C) No. 6898/2002, SLP (C) No. 7377-7380/2002,
SLP (C) No. 7412/2002, SLP (C) No. 7428/2002, SLP (C) No. 7499-7500/2002,
SLP (C) No. 7503/2002, SLP (C) No. 7505/2002, SLP (C) No. 7511/2002,
SLP (C) No. 7897/2002, SLP (C) No. 7899/2002, SLP (C) No. 7901/2002, 9810/02 & 9540/02
(With appln. For condonation of delay)

Date: 06.05.2002 This petition was called on for hearing today.

CORAM:

HON'BLE MR. JUSTICE N. SANTOSH HEGDE
HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

For Petitioner (s) Mr. P. Chidambaram, Sr. Adv.
Mr. Rakesh K. Khanna, Adv.
Mr. Jayant Bhushan, Adv.

Dr. A.M. Singhvi, Sr. Adv.
Mr. P.K. Bansal, Adv.
Mr. K.L. Janjani, Adv.
Mr. Pankaj Kumar Singh, Adv.

Mr. H.K. Puri, Adv.
Mr. S.K. Puri, Adv.
Ms. Anadita Gupta, Adv.

Mr. Pankaj Kalra, Adv.

Mr. A.K. Ganguli, Sr. Adv.
Ms. Kamkshi S. Mehlwal, Adv.

Mr. Shanti Bhushan, Sr. Adv.
Mr. Jayant Bhushan, Adv.
Mr. Rajesh Bindal, Adv.
Mr. Kuldeep Jain, Adv.
Mr. Rajesh Jain, Adv.

Mr. C.A. Sundaram, Sr. Adv.
Mr. Jaideep Guptsa, Adv.
Mr. Sanjay Sen, Adv.
Mr. Rana S. Biswas, Adv.
Mr. Rakesh Ahuja, Adv.

For Respondent (s) Mr. Neeraj Kumar Jain, Adv.
Mr. J.P. Dhanda, Adv.

UPON hearing counsel the Court made the following ORDER.

Heard Counsel.
Leave granted.
Printing dispensed with.

During the pendency of these appeals and subject to further orders, we make the following interim order in regard to payment of the tax due from the appellants.

The appellants will pay the entire amount due for the first quarter of this year namely that which is payable by the 30th of April, 2002 on or before 31st of May, 2002 .

Arrears due prior to that date namely for the period from May, 2001 to 31st of December, 2001 will be paid by the appellants in three equal instalments. The first instalment being payable on or before 31st of August, 2002; second instalment on or before 30th of September, 2002 and third instalment on or before 30th of April, 2003. On default, it will be open to the respondent to recover the entire sum in the manner provided in law, if the authorities have completed any assessment in regard to any of the appellants on the basis of best judgment assessment, the amount payable under such assessments will also become due and payable in the manner stated herein above.

Such of the appellants who have not been able to file Returns till date, as required, are granted permission to file such Returns on or before 30th of June, 2002.

All dues other than those provided herein above, which becomes payable during the pendent of these appeals shall be paid by the appellants as and when it becomes due.

There shall be a stay of interest payable on the arrears.

Liberty is given to the parties to mention if these appeals are, in any manner, connected with C.A. No. 4476/02 so that these appeals could be tagged along with the same for final disposal.

(Ganga Thakur)
P.S. to Registrar

(Prem Prakash)
Court Master