

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NOS. 15937 AND 14713 OF 2014
AND 17742-17743 OF 2015

WITH
PRAYER FOR INTERIM RELIEF

Union of India & Anr.

.....Petitioners

-Versus-

Alstom India Ltd., etc.

.....Respondents

OFFICE REPORT

S.L.P. © NOS. 15937 AND 14713 OF 2014:-

The matters above mentioned were listed before the Hon'ble Court on 17th July, 2014, when the Court was pleased to pass the following order:

“Issue notice.

Mr. Nikhil Nayyar, learned counsel, on caveat, accepts notice on behalf of the respondents and undertakes to file counter affidavit within three weeks. Rejoinder, if any, be filed within three weeks thereafter.

As an interim measure, it is directed the demand by the Department for payment or the demand by the assessee for refund, as the case may, shall remain stayed. With regard to the stay of the impugned judgement, it shall be taken up on the next date of hearing.

List on 02.09.2014.”

Accordingly show cause notice returnable on 2nd September, 2014 was issued to sole respondent in both the matters on 9th August, 2014 through Mr. Nikhil Nayyar, Advocate has already filed caveat/Vakalatnama/Appearance on behalf of the sole respondent in both the matters.

It is submitted that Mr. B.K. Prasad, counsel for the petitioner has on 7th August, 2014 filed application for permission to file additional document alongwith annexures in both the matters and copies of the same have been included in the paper books.

It is further submitted that the Counsel for Respondent has on 12th August, 2014 filed counter affidavit in both the matters and copies of the same have been included paper books. Rejoinder affidavit has also been filed in both the matters and the copies of the same have been included in the paper Books.

It is lastly submitted that the matters were listed before the Hon'ble Court from time to time and lastly on 7th May, 2015 alongwith connected matters, when the Court was pleased to pass the following order:-

“List the matters after ensuring summer vacation.”

S.L.P. © NOS. 17742-17743 OF 2015:-

The matters above mentioned were listed before the Hon'ble Court on 2nd July, 2015, when the Court was pleased to pass the following order:

“Delay condoned.

Issue notice.

Mr. V. Giri, learned senior counsel being instructed by Mr. Ananga Bhattacharyya, learned counsel, has entered appearance on behalf of the sole respondent. No further notice need be issued. They undertake to file the counter affidavit within four weeks hence. Rejoinder affidavit, if any, be filed within three weeks therefrom.

As an interim measure, it is directed that the demand by the Department for payment or the demand by the assessee for refund, as the case may be, shall remain stayed. With regard to the stay of the impugned judgment, it shall be taken up on the next date of hearing.

Tag with SLP © No. 15937 of 2014.”

It is submitted that counsel for the sole respondent/caveator Mr. Ananga Bhattacharya, Advocate has not filed Counter Affidavit so far. Hence, no Rejoinder Affidavit.

The matters are listed before the Hon'ble Court with this office report.

Dated this the 22nd day of July, 2015.

ASSISTANT REGISTRAR

Copy to:-

1. Mr. Nikhil Nayyar, Advocate
133, Lawyer's Chamber.
2. Mr. B.K. Prasad, Advocate
Central Agency Section.
3. Mr. Ananga Bhattacharyya, Advocate
Suit No. 10, G.F. Hans Bhawan,
1 Bahadur Shah Zafar Marg, (I.T.O.),
New Delhi – 110 002.

ASSISTANT REGISTRAR