

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (Civil) No.852/2012
(From the judgment and order dated 23/09/2011
No.7106/2010 of The HIGH COURT OF DELHI AT N. DELHI)

in WP

P.K.HOSPITALITY SERVICES P.LTD.& ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned
Judgment and permission to file additional documents and with
prayer for interim relief and office report)

Date: 20/01/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE ANIL R. DAVE

For Petitioner(s) Mr. Rakesh Sinha, Adv.
 Mr. Vinay J Hedge, Adv.
 Mr. Partha Sil, Adv.

For Respondent(s)

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

Leave granted.

The appeal will be heard on the SLP Paper
Books. Additional documents, if any, may be filed
by the parties.

Having heard learned counsel for the
appellants on the question of stay with regard to
the arrears of service tax due as on 30th
September, 2011, we direct that on each of the
appellants' clearing all the arrears as on the said
date in three equated instalments, on or before 1st

..2/-

: 2 :

March, 2012; 1st May, 2012 and 1st July, 2012, no
coercive steps shall be taken against the
appellants for the recovery of the said arrears.
However, in the event of default on the part of the
appellants in deposit of any one of the instalments

by the due date, it will be open to the respondents to recover the entire amount in arrears forthwith.

We clarify that there is no stay of imposition of service tax under sub-clause (zzzz) of clause (105) of Section 65 read with Section 66 of the Finance Act, 1994 (as amended), insofar as the future liability towards service tax with effect from 1st October, 2011, is concerned.

Tag with Civil Appeal No. 8390 of 2011.

[Charanjeet Kaur]
Court Master

[Kusum Gulati]
Court Master