

ITEM NO.801

COURT NO.7

SECTION XIA

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

M.A.No._____ in Special Leave Petition (C) Nos. 21871/2007

STATE OF KERALA & ANR.

Petitioner(s)

VERSUS

RELIANCE INFOCOMM LTD.

Respondent(s)

(For modification of order dated 05.04.2017)

Date : 24-08-2017 This matter was MENTIONED today.

CORAM :

HON'BLE MR. JUSTICE A.K. SIKRI

HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Appellant(s) Mr. G. Prakash, Adv.

For Respondent(s) Mr. S.K. Bagaria, Sr. Adv.
Ms. Sayaree Basu Mallik, Adv.
Ms. Shruti Garg, Adv.
Mr. E.C. Agarwala, Adv.

UPON being mentioned, the Court made the following
O R D E R

On mentioning, the application is taken on Board.

It is clarified that judgment dated 05th April, 2017 passed by this Court in batch of matters, including appeals in which applicant (Reliance Infocomm Ltd.) was respondent, touched upon the issue of compensatory tax only. No doubt the judgment of the High Court, in which process is set aside, entirely touches the other issues as well. In these circumstances, we permit the applicant (Reliance Infocomm Ltd.) to file a fresh writ petition in the High Court taking other points, which were raised by the petitioner, and such petition shall be considered by the High Court keeping in view the law declared by this court in "*Jindal Stainless Ltd. And Anr. V. State of Haryana and Ors.*" [2016 (11) SCALE 1]" and other relevant cases.

The time for filing the writ petition is extended till 15th September, 2017. As far as this Court is concerned, no opinion is expressed on merits on entry issues and it would be open to the State to resist the petition before the High Court on any ground available to it in accordance with law.

Accordingly, the application for modification of order dated 05.04.2017 of this Court stands disposed of.

(SAPNA BISHT)
SENIOR PERSONAL ASSISTANT

(MADHU NARULA)
BRANCH OFFICER