

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

I.A.No.3 in
Petition(s) for Special Leave to Appeal (Civil) No(s).24052/2008

(From the judgment and order dated 26/08/2008 in CMWP No. 42784/2006 of
The HIGH COURT OF JUDICATURE AT ALLAHABAD)

TATA TELESERVICES LTD. Petitioner(s)

VERSUS

STATE OF U.P.& ORS. Respondent(s)

(For interim directions)

Date: 20/04/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA
HON'BLE MR. JUSTICE AFTAB ALAM

For Petitioner(s) Mr. Harish N. Salve, Sr.Adv.
Mr. R.N. Karanjawala, Adv.
Ms. Ruby Singh Ahuja, Adv.
Ms. Simran Brar, Adv.
Mr. Manu Aggarwal, Adv.
Mrs. Manik Karanjawala, Adv.

For Respondent(s) Mr. Aarohi Bhalla, Adv.
Ms. Vandana Mishra, Adv.
Mr. Manoj Kr. Dwivedi, Adv.
Mr. G. Venkateswara Rao, Adv.

UPON hearing counsel the Court made the following
ORDER

I.A.No.3/2009:

Having heard learned counsel, we direct the petitioner-Tata
Teleservices Limited to move the Commissioner of Stamps within a
period of two weeks, enclosing a sample document in original, seeking

1
opinion of the Commissioner under Section 31 of the Stamp Act. The
Commissioner will decide the matter within four weeks therefrom.

Since the petitioner has taken a fair stand, we are of the view
that, at this stage, no coercive steps for recovery of penalty, including
demand, shall be taken.

The Commissioner shall decide the matter uninfluenced by
the impugned order of the High Court as well as the Circular issued
by the Commissioner (Admn.).

Needless to add that the petitioner will move the
Commissioner without prejudice to its rights and contentions.

I.A. is disposed of accordingly.

(N. ANNAPURNA)
COURT MASTER

(MADHU SAXENA)
COURT MASTER