

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S).3417-3430 OF 2019
(ARISING FROM SLP(C) NO(S). 7402-7415/2019)

M/S. ENGINEERS INDIA LIMITED

APPELLANT(S)

VERSUS

THE DEPUTY COMMISSIONER OF
COMMERCIAL TAXES (AUDIT 3) ETC.ETC. RESPONDENT(S)

O R D E R

1. Leave granted.
2. Heard learned counsel for the parties.
3. We dispose of these appeals by giving liberty to the appellant to approach the High Court for grant of interim relief afresh and point out the reasons recorded in the order dated 19th December, 2018 while hearing the writ appeals and on such application(s) being made we expect the High Court to give reasons why the facts which had weighed with the previous Bench hearing the same writ appeals on 19th December, 2018 had become irrelevant or inapplicable for considering prayer for

continuation of interim relief during the pendency of the appeals.

4. In any case, application(s) will have to be decided by the High Court on its own merits in accordance with law without being influenced by the impugned order or for that matter the factual position stated in the order dated 19th December, 2018 but by giving appropriate reasons so that if the appellant is still aggrieved, may avail further remedy to question the correctness of the said reasons before this Court.

5. The impugned order is set aside and the appeals are disposed of with the aforesaid observations. All questions are left open.

....., J.
(A.M. KHANWILKAR)

....., J.
(AJAY RASTOGI)

NEW DELHI
APRIL 05, 2019

ITEM NO.20

COURT NO.9

SECTION IV-A

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

Petition(s) for Special Leave to Appeal (C) No(s). 7402-7415/2019

(Arising out of impugned final judgment and order dated 06-02-2019 in WA Nos. 3158/2018, 3102/2018, 3103/2018, 3104/2018, 3105/2018, 3106/2018, 3107/2018, 3108/2018, 3109/2018, 3110/2018, 3111/2018, 3112/2018, 3113/2018, 3159/2018 passed by the High Court of Karnataka At Bengaluru)

M/S. ENGINEERS INDIA LIMITED

Petitioner(s)

VERSUS

THE DEPUTY COMMISSIONER OF

COMMERCIAL TAXES (AUDIT 3) MANGALURU ETC.ETC.

W Respondent(s)

(FOR ADMISSION and I.R. and IA No.45256/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 05-04-2019 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE AJAY RASTOGI

For Petitioner(s) Mr. K.V. Vishwanathan, Sr. Adv.
Mr. B. Kumar, Sr. Adv
MR. Mohammed Shaffiqq, Adv.
Mr. P. Purushottam, Adv.
Mr. Sanand Ramakrishnan, AOR
Mr. Rajeev Mishra, Adv.

For Respondent(s) Mr. V.N. Raghupathy, AOR

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

Leave granted.

The appeals are disposed of in terms of the signed order.

In view of the above, pending applications shall stand disposed of.

(NEETU KHAJURIA)
COURT MASTER

(VIDYA NEGI)
COURT MASTER

(Signed order is placed on the file)