THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN
And
THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

WRIT PETITION No.23484 of 2007

ORDER: (per Hon'ble Sri Justice Ramesh Ranganathan)

The proceedings, under challenge in this Writ Petition, is the order passed by the respondent on 31.10.2007 rejecting the petitioner's request to refrain from taking any coercive steps for recovery of Rs.5,57,39,118/- as the matter was pending consideration before the BIFR.

While Sri T.Vinod Kumar, learned Special Standing Counsel for Commercial Taxes, would submit that the petitioner has not paid a single rupee even though two and half years have elapsed since the scheme was framed by the BIFR, in BIFR Case No.93/87 dated 12.02.2014, Sri Vedula Srinivas, learned counsel for the petitioner, expresses ignorance regarding payment of the sales tax dues.

Both Sri Vedula Srinivas, learned counsel for the petitioner, and Sri T.Vinod Kumar, learned Special Standing Counsel for Commercial Taxes, would agree that, as the BIFR framed a scheme in BIFR Case No.93/87 dated 12.02.2014, any action which the respondent can take for recovery of the sales tax dues can only be in accordance with the scheme so formulated by the BIFR; and it would suffice if this Court were to dispose of the Writ Petition directing the respondent to recover the aforesaid sales tax dues, along with interest, strictly in accordance with the scheme.

In view of the submission now made by learned counsel on either side, the Writ Petition is disposed of directing the respondent to recover the sales tax due, along with interest thereon, strictly in accordance with the scheme framed by the BIFR in BIFR Case No.93/87 dated 12.02.2014. Miscellaneous Petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

RAMESH RANGANATHAN, J

M.SATYANARAYANA MURTHY, J

08th July, 2016.
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