

FARAD CONTINUATION SHEET No.  
IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORIGINAL SIDE

SALES TAX REFERENCE NO. 54 OF 1978

|                                                                                                            |                           |
|------------------------------------------------------------------------------------------------------------|---------------------------|
| Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders | Court's or Judge's orders |
|------------------------------------------------------------------------------------------------------------|---------------------------|

Mr.U.S.Upadhyay, AGP for the appellant.

CORAM : A.S.OKA AND A.K.MENON, JJ.

DATE : 3<sup>rd</sup> November 2017.

P.C.:

The learned AGP tendered a copy of the order dated 12<sup>th</sup> January 2011 passed by the Division Bench at Aurangabad in Sales Tax Reference Application No.4/2005. The learned AGP, on instructions from Mr.Vijay Mane, Deputy Commissioner of Sale Tax and Mr.Milind Sadgune, Assistant Commissioner of Sale Tax who are personally present in the Court, states that in Sales Tax Reference Application No.4/2005, the question referred was the same as this reference. In paragraph- 2 of the order dated 12<sup>th</sup> January 2011, it is recorded that the respondent- firm is no longer in existence. By the said order, the Bench at Aurangabad proceeded to dispose of the reference by keeping the question expressly open. In view of the said

order dated 12<sup>th</sup> January 2011 passed by the Division Bench at Aurangabad, we dispose of this reference. However, we make it clear that the issue involved in the reference is kept open.

(A.K.MENON, J)

(A.S.OKA, J.)