

HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.11558 of 2008

ORDER.

Mr. G.Krishna Murthy, learned counsel for the petitioner, accepts that the legal objections on the applicability of the Building and other Construction Workers Welfare Cess Act, 1996 (for short 'the Act') are no more *res integra* in view of the judgment of the Apex Court in *Lanco Anpara Power Ltd vs State Of Uttar Pradesh And Ors*¹. However, he submits that on exact liability, the determination should be in accordance with the Act and the Rules made thereunder. Therefore, as and when a notice is issued, the petitioner may be given liberty to submit explanation and pray for appropriate orders before the competent authority.

The Statement is placed on record. Writ Petition dismissed by granting the liberty as prayed for.

Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed. There shall be no order as to costs.

JUSTICE S.V.BHATT

28th February, 2017

DR

¹ (2016) 10 SCC 329