

THE HON'BLE SRI JUSTICE SANJAY KUMAR  
AND  
THE HON'BLE SRI JUSTICE GUDI SEVA SHYAM PRASAD

WRIT PETITION No.9190 of 2016

ORDER: (Per Justice Sanjay Kumar)

This writ petition was filed assailing the action of the State Bank of India in not reimbursing the petitioner for the service tax due and payable on the rents paid by it to the petitioner, quantified at Rs.2,91,981/-, for the period from 01.10.2007 to 31.12.2012.

It is represented by Sri Prabhakar Sripada, learned counsel for the petitioner, that the bank has now reimbursed the petitioner the entire amount due towards the service tax and the interest paid thereon to the Revenue. He would however submit that in the event any penalties are levied for the delayed payment of the service tax and the interest due thereon, the bank would be liable to bear the penalty burden also.

Sri B.S. Prasad, learned counsel for the State Bank of India, would fairly state that in the event the Revenue visits any penalties upon the petitioner in relation to the delayed payment of service tax on the subject rental amounts or the interest thereon, the bank will reimburse the petitioner for such penalties.

Recording the said statement, the writ petition is closed.

Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

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SANJAY KUMAR, J

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GUDI SEVA SHYAM PRASAD, J

17<sup>th</sup> July, 2017  
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