

HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.11583 of 2009

ORDER.

Mr. G.Krishna Murthy, learned counsel for the petitioner, accepts that the legal objection on the applicability of the Building and other Construction Workers Welfare Cess Act, 1996 (for short 'the Act') is 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.

JUSTICE S.V.BHATT

28th February, 2017

DR

¹ (2016) 10 SCC 329