

\$~51

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 3024/2019**

C G POWER AND INDUSTRIAL SOLUTIONS LIMITED

..... Petitioner

Through: Ms.Monisha Handa, Mr.Mohit
D.Ram and Mr.Sachin Kaushal,
Advocates.

versus

DEPARTMENT OF TRADE & TAXES & ORS. Respondents

Through: Mr.Satyakam, ASC for respondent-
GNCTD.

Mr.Rahul Chitnis, Mr.Sachin Patil,
Mr.Aniruddha Deshmukh and
Mr.Shaurya Kuthiala, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

%

17.02.2020

CM APPL. 6352/2020 (for clarification)

1. Issue notice. Learned counsel for the respondents accepts notice.

2. By this application, petitioner seeks following clarification:

“(i) Allow the present Application seeking clarification that the appeal proceedings namely VAT Appeal No. 378 of 2017 titled as M/s Crompton Greaves Limited Versus The State of Maharashtra pending before the Maharashtra Sales Tax Appellate Tribunal, Mumbai shall remain stayed till the disposal of the Special Leave Petition (C) No. 13928/ 2017 titled Commissioner of VAT, Delhi Versus Indian Oil Corporation and Civil Appeal No. 4573 of 2017 titled as Commissioner Department of Trade and Taxes and

Anr. Versus Ingram Micro India Pvt. Ltd.”

3. The submission of learned counsel for the petitioner is when the matter was heard by this Court, during the course of hearing, this Court had observed that the appellate proceedings in VAT APP. No. 378/2017, pending before the Sales Tax Appellate Tribunal, Mumbai shall remain stayed till the disposal of the SLP No. 713928/2017, pending before the Supreme Court. We recall the said position. Indeed, this Court had intended to stay the said proceeding, however, we have not recorded that in our order dated 15.01.2020. Accordingly, we allow this application. We make it clear that the proceedings in VAT APP. No. 378/2017 titled as ***M/s Crompton Greaves Limited vs. The State of Maharashtra***, pending before the Maharashtra Sales Tax Appellate Tribunal, Mumbai shall remain stayed till the disposal of the **SLP (Civil) 13928/2017** titled as ***Commissioner of VAT, Delhi vs. Indian Oil Corporation*** and **Civil Appeal No. 4573/2017** ***Commissioner Department of Trade and Taxes and Anr. vs. Ingram Micro India Pvt. Ltd.***

4. The application stands disposed of.

VIPIN SANGHI, J

SANJEEV NARULA, J

FEBRUARY 17, 2020