

Commissioner Of Service Tax, Mumbai li vs M/S Sgs India Pvt Ltd on 28 January, 2020

ITEM NO.76

REGISTRAR COURT. 1

SECTION IX

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

BEFORE THE REGISTRAR SH. ANIL LAXMAN PANSARE

Petition(s) for Special Leave to Appeal (C) No(s). 29712/2014
COMMISSIONER OF SERVICE TAX, MUMBAI II Petitioner(s)

VERSUS

M/S SGS INDIA PVT LTD & ANR. Respondent(s)

(Only SLP (C) No. 21334/2019, C.A. Nos. 1440, 7483, 4007, 4959 & 7155 of 2019 and D. Nos. 40710 and 6017 of 2019 to be listed before Registrar Court on 28.01.2020.)

WITH

C.A. No. 1440/2019 (XVII-A)

(IA

FOR EX-PARTE STAY ON IA 13851/2019

IA No. 13851/2019 - EX-PARTE STAY)

SLP(C) No. 21334/2019 (IX)

)

Diary No(s). 6017/2019 (XVII-A)

(IA

FOR CONDONATION OF DELAY IN FILING ON IA 39220/2019

FOR EX-PARTE STAY ON IA 39221/2019

IA No. 39220/2019 - CONDONATION OF DELAY IN FILING

IA No. 39221/2019 - EX-PARTE STAY)

C.A. No. 4007/2019 (XVII-A)

(IA

FOR STAY APPLICATION ON IA 55518/2019

IA No. 55518/2019 - STAY APPLICATION)

C.A. No. 4959/2019 (XVII-A)

(IA No.71612/2019-CONDONATION OF DELAY IN FILING and IA

No.71614/2019-EX-PARTE STAY)

C.A. No. 7483/2019 (XVII-A)

(IA No.122775/2019-CONDONATION OF DELAY IN FILING and IA

No.122779/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

and IA No.122778/2019-STAY APPLICATION)

C.A. No. 7155/2019 (XVII-A)

(FOR ADMISSION and IA No.131123/2019-EX-PARTE STAY and IA

No.131122/2019-CONDONATION OF DELAY IN FILING APPEAL)

Diary No(s). 40710/2019 (XVII-A)

(IA No.185365/2019-CONDONATION OF DELAY IN FILING and IA

Signature Not Verified

No.185366/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

Digitally signed by

Anil Laxman Pansare

Date: 2020.02.01

and IA No.185367/2019-STAY APPLICATION)

10:49:08 IST

Reason:

Diary No(s). 44910/2019 (XVII-A)

(IA No.5855/2020-CONDONATION OF DELAY IN FILING and IA

No.5857/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and

IA No.5856/2020-EX-PARTE STAY)

Item No.76

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Date : 28-01-2020 This petition was called on for hearing today.

For Petitioner(s)

Ms. Neha Agarwal, Adv.

Mr. E. C. Agrawala, AOR

Ms. Reena Pandey, Adv.

Mr. B. Krishna Prasad, AOR

For Respondent(s)

Ms. Charanya Lakshmikumaran, AOR

Mr. Anirban Bhattacharya, AOR

Mr. Sarvesh Singh, AOR

Mr. Jasdeep Singh Dhillon, Adv.

Mr. Anurag, AOR

Ms. Neha Agarwal, Adv.

Mr. E. C. Agrawala, AOR

Ms. Diksha Rai, AOR

Ms. Sneha Dhillon, Adv.

Mrs. Gayatri Gulati Sreyas, Adv.

Mr. T. V. S. Raghavendra Sreyas, AOR

UPON hearing the counsel the Court made the following

O R D E R

Vakalatnama has been filed on 14.11.2019. Ld. Counsel for the respondent is granted four weeks' time, as last opportunity for filing counter affidavit in terms of Order V Rule 1(22), Supreme Court Rules, 2013.

Affidavit of valuation and Ad-valorem court fee have been filed.

None appeared for the sole respondent when called. Despite time granted on 18.11.2019, counter

affidavit has not been filed till today. There is neither written application for extension of time to file pleadings in terms of Order V Rule 1(22), Supreme Court Rules, 2013 nor is there oral request to that effect. It appears that the said respondent is not interested in filing counter affidavit and, therefore, opportunity to file counter affidavit stands declined. Diary No(s). 6017/2019 None appeared for the respondent when called. Vakalatnama has been filed on behalf of the sole respondent on 18.7.2019, however, counter affidavit has not been filed till today. There is neither written application for extension of time to file pleadings in terms of Order V Rule 1(22), Supreme Court Rules, 2013 nor is there oral request to that effect. It appears that the respondent is not interested in filing counter affidavit and, therefore, opportunity to file counter affidavit stands declined.

Affidavit of valuation and Ad-valorem court fee have been filed.

Vakalatnama has been filed on 13.8.2019, however, counter affidavit has not been filed till today. Ld. counsel for the respondent seeks last opportunity of four weeks to file counter affidavit. Granted, as last opportunity, as first and only extension in terms of Order V Rule 1(22), Supreme Court Rules, 2013.

Affidavit of valuation has been filed. Ld. counsel for the appellant to file Ad-valorem court fee within four weeks. Vakalatnama has been filed on 9.7.2019, however, counter affidavit has not been filed till today. Ld. counsel for the respondent seeks last opportunity to file counter affidavit. Four weeks' time is granted as last opportunity, as first and only extension in terms of Order V Rule 1(22), Supreme Court Rules, 2013.

Ld. Counsel for the appellant to file affidavit of valuation and Ad-valorem court fee within four weeks. None appeared for the respondent when called. Four weeks' time was granted to the sole respondent for filing counter affidavit vide order dated 6.9.2019, however, counter affidavit has not been filed till today. There is neither written application for extension of time to file pleadings in terms of Order V Rule 1(22), Supreme Court Rules, 2013 nor is there oral request to that effect. It appears that the respondent is not interested in filing counter affidavit and, therefore, opportunity to file counter affidavit stands declined.

Affidavit of valuation and Ad-valorem court fee have been filed.

Service is complete on the sole respondent vide order dated 6.9.2019, however, counter affidavit has not been filed till today. Ld. Advocate, Ms. Neha Agarwal, appearing on behalf of Mr. E.C. Agrawala, Advocate-on-record appears for the sole respondent and seeks four weeks' more time to file vakalatnama and counter affidavit. Four weeks' time, as last chance, is granted as first and only extension in terms of Order V Rule 1(22), Supreme Court Rules, 2013.

Ld. Counsel for the appellant to file affidavit of valuation and Ad-valorem court fee within four weeks.

None appeared for the respondent when called. Vakalatnama has been filed on behalf of the sole respondent on 17.12.2019, however, counter affidavit has not been filed till today. There is neither written application for extension of time to file pleadings in terms of Order V Rule 1(22), Supreme Court Rules, 2013 nor is there oral request to that effect. It appears that the respondent is not interested in filing counter affidavit and, therefore, opportunity to file counter affidavit stands declined.

Affidavit of valuation has been filed.

Ld. counsel for the appellant to file Ad-valorem court fee within four weeks.

List again on 31.3.2020.

ANIL LAXMAN PANSARE Registrar