

WP(C) No. 396 of 2013

19.3.2014

HON'BLE THE CHIEF JUSTICE

Smti S.Nongrum, Advocate, present for the petitioner.

Shri S.Sen Gupta, Govt. Advocate, present for the respondents
No. 1 to 4.

Learned counsel for the respondents No. 1 to 4 prays for and is
allowed further 3(three) weeks' time to file counter affidavit.

List after 3(three) weeks.

S.Rynjah

CHIEF JUSTICE

CRL.A. No. 5 of 2010

19.3.2014

HON'BLE THE CHIEF JUSTICE

Adjourned at the request of learned counsel for the appellant.

List on 31-3-2014 for hearing.

S.Rynjah

CHIEF JUSTICE

CRL.REV.P. No. 2 of 2014

19.3.2014

HON'BLE THE CHIEF JUSTICE

Adjourned at the request of Shri K.Sunar, Advocate, present for the revisionist.

List after 3(three) weeks.

S.Rynjah

CHIEF JUSTICE

MC[WP(C)] No. 60 of 2014

WP(C) No. 78 of 2014

19.3.2014

HON'BLE THE CHIEF JUSTICE

In view of the interim order of the date passed in WP(C) No. 78 of 2014, no further order will be passed in the present Misc.Case which stands disposed of.

S.Rynjah

CHIEF JUSTICE

MC[WP(C)] No. 61 of 2014

WP(C) No. 79 of 2014

19.3.2014

HON'BLE THE CHIEF JUSTICE

In view of the interim order of the date passed in WP(C) No. 79 of 2014, no further order will be passed in the present Misc.Case which stands disposed of.

S.Rynjah

CHIEF JUSTICE

WP(C) No. 78 of 2014

19.3.2014

HON'BLE THE CHIEF JUSTICE

Dr. A.Saraf, Sr. Advocate, assisted by Shri A.Goyal, Advocate, present for the petitioner.

Mr. K.Khan, Addl. Sr. Govt. Advocate, present for the respondents.

Heard.

Learned counsel for the writ petitioner submitted that the expansion of the petitioner's unit was covered under Meghalaya Industries (Tax Remission) Scheme, 2006. It is further pointed out that under the scheme 99% remission of tax was allowed and only 1% of the tax was payable under the Central Sales Tax Act and Meghalaya Value Added Tax Act. It is argued that the respondents have made demand of the tax violating the principle legitimate expectation before the expiry of the period of remission.

Admit the writ petition.

Learned counsel for the State respondents prays for and is allowed 4(four) weeks' time to file the counter affidavit.

Having considered submissions of learned counsel for the parties and further considering the Eligibility Certificate (Annexure-K) issued by the Meghalaya Industrial Development Corporation, without expressing any opinion as to the final merits of the present writ petition, as an interim measure, it is directed that the recovery in respect of the impugned assessment order dated 15-11-2013 is stayed till the next date of listing if the writ petitioner pays the amount in terms of the scheme.

List after four weeks.

S.Rynjah

CHIEF JUSTICE

WP(C) No. 79 of 2014

19.3.2014

HON'BLE THE CHIEF JUSTICE

Dr. A.Saraf, Sr. Advocate, assisted by Shri A.Goyal, Advocate, present for the petitioner.

Mr. K.Khan, Addl. Sr. Govt. Advocate, present for the respondents.

Heard.

Learned counsel for the writ petitioner submitted that the expansion of the petitioner's unit was covered under Meghalaya Industries (Tax Remission) Scheme, 2006. It is further pointed out that under the scheme 99% remission of tax was allowed and only 1% of the tax was payable under the Central Sales Tax Act. It is argued that the respondents have made demand of the tax violating the principle legitimate expectation before the expiry of the period of remission.

Admit the writ petition.

Learned counsel for the State respondents prays for and is allowed 4(four) weeks' time to file the counter affidavit.

Having considered submissions of learned counsel for the parties and further considering the Eligibility Certificate (Annexure-L) issued by the Meghalaya Industrial Development Corporation, without expressing any opinion as to the final merits of the present writ petition, as an interim measure, it is directed that the recovery in respect of the impugned assessment order dated 21-1-2014 is stayed till the next date of listing if the writ petitioner pays the amount in terms of the scheme.

List after four weeks.

S.Rynjah

CHIEF JUSTICE

WP(C) No. 353 of 2013

19.3.2014

HON'BLE THE CHIEF JUSTICE

Ms. K.Chisa, Advocate, present for the petitioner.

Mr. LD Choudhury, Advocate, present for the respondents.

Learned counsel for the respondents prays for and is allowed further 2(two) weeks' time to file the counter affidavit.

List after 2(two) weeks.

S.Rynjah

CHIEF JUSTICE

WP(C) No. 395 of 2013

19.3.2014

HON'BLE THE CHIEF JUSTICE

Shri HS Thangkhiew, Sr. Advocate, assisted by Shri N.Mozika, Advocate, present for the petitioners.

Shri S. Sen Gupta, Govt. Advocate, present for the State respondents.

Learned counsel for the respondents prays for and is allowed further 3(three) weeks' time to file counter affidavit.

List after 3(three) weeks.

S.Rynjah

CHIEF JUSTICE