

ITEM NO.302

Court 8 (Video Conferencing)

SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).1237/2021

(Arising out of impugned final judgment and order dated 14-01-2021 in WP No.35/2021 passed by the High Court Of Judicature At Bombay)

TAX BAR ASSOCIATION PUNE

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA & ANR.

Respondent(s)

(With appls.for exemption from filing c/c of the impugned judgment, exemption from filing O.T.)

Date : 22-01-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO

HON'BLE MR. JUSTICE HEMANT GUPTA

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

For Petitioner(s) Mr. Gautam Ankhad, Adv.
Mr. Ishaan Patkar, Adv.
Mr. Vinayak Bhandari, Adv.
Mr. Arnav Narain, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

The Tax Bar Association, Pune has filed a writ petition in the High Court of Judicature at Bombay challenging Rule 6 (1) (B) of the Maharashtra Value Added Tax Rules 2005 insofar as it fixed the tenure of two years for members of the Maharashtra Sales Tax Tribunal. The contention of the petitioner in the said writ petition is that the above provision has to be struck down as it is contrary to the judgment of this

Court in Union of India & Anr. Vs. Madras Bar Association in Writ Petition (C) 804 of 2020 dated 27.11.2020. The High Court issued notice but refused to grant the interim relief aggrieved by which the petitioner is before this court. As the Writ petition is coming up for hearing on 22.02.2021, we are not inclined to entertain the SLP.

However, the learned counsel for the petitioner submits that one Judicial Member has retired today. In view of the said submission, we request the High Court to hear the matter on the date it is listed i.e. 22.02.2021.

The Special Leave Petition is, accordingly, disposed of. Pending application(s), if any, shall stand disposed of.

(B.Parvathi)
Court Master

(Anand Prakash)
Court Master