

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

SALES TAX APPLICATION NO. 7 OF 2016
IN
REFERENCE APPLICATION NOS. 43 AND 44 OF 2011

The Addl. Commissioner of Sales Tax ... Applicant

Vs

M/s. A.J. Traders Pvt. Ltd. ... Respondent

WITH
SALES TAX APPLICATION NO. 8 OF 2016
IN
REFERENCE APPLICATION NOS. 43 AND 44 OF 2011

The Addl. Commissioner of Sales Tax ... Applicant

Vs

M/s. A.J. Traders Pvt. Ltd. ... Respondent

Mr. V.A. Sonpal, special counsel for the Applicants in both petitions.

None for the Respondents in both petitions.

**CORAM : S.C. DHARMADHIKARI &
B.P. COLABAWALLA, JJ.**

TUESDAY, 4TH OCTOBER, 2016

P.C. :

1. After the last order was passed and it was stated that the Revenue is unable to locate the heirs and legal representatives

of the deceased-sole proprietor, today both these applications were to be disposed off on account of the inability of the Revenue and noted in details in the earlier orders.

2. However, it is stated that within the time granted by this Court, some efforts were made by the Revenue / Sales Tax Department and they were able to obtain the details of the heirs and legal representatives of the deceased-sole proprietor.

3. The complete sorry state of affairs prevailing in the Department has been noted by us, but on account of the larger public interest involved, we accede to the request of Mr. Sonpal and grant a final opportunity to the Revenue / Department to move an appropriate application for amendment of all the proceedings and if that is granted, to take further steps so that those who are required to be heard in the event the questions of law are entertained, can remain present before this Court.

4. To enable Mr. Sonpal to take complete instructions and file applications / Chamber Summonses, we list these matters on 25th October, 2016. No further adjournments will be

granted. The matters would be listed under the same caption.

5. If the Chamber Summonses are filed, they ought to be duly served so that we can dispose them off on the adjourned date.

B.P. COLABAWALLA, J.

S.C. DHARMADHIKARI, J.