

ITEM NO.3

COURT NO.9

SECTION IX

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

Miscellaneous Application No.108/2023 in SLP(C) No.30333/2018

EVERGREEN SEAMLESS PIPES AND TUBES PVT LTD

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(FOR ADMISSION and IA No.194090/2022-RECALLING THE COURTS ORDER)

Date : 09-02-2023 This Application was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE J.K. MAHESHWARI

For Petitioner(s) Mr. D.L.Chidananda, Adv.
Mr. Ashwin Kumar D.S., Adv.
Ms. Surbhi Mehta, AOR

For Respondent(s) Mr. Mukesh Kumar Maroria, AOR
Mr. V.C. Bharathi, Adv.
Mr. H.R. Rao, Adv.
Mr. Sandeep Kumar Mahapatra, Adv.

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

M.A.No.108/2023 in SLP(C) No.30333/2018

1. Issue notice.
2. Mr. Mukesh Kumar Maroria, learned counsel, accepts notice on behalf of the respondents. Service upon the respondents is, accordingly, waived off.
3. Heard learned counsel for the parties.
4. The prayer in the instant application is to recall the order dated 22.07.2022, whereby SLP(C)No.30333 of 2018, filed by applicant/petitioner, was disposed of along with other connected matters. The order of final disposal is sought to be recalled on the ground that the applicant/petitioner has challenged the constitutional validity of Section 140(3)(iv) of the Central

Goods and Service Tax Act, 2017, which was not the issue that arose for consideration when a batch of SLPs was disposed of on 22.07.2022.

5. Learned counsel appearing on behalf of the Revenue fairly submits that he has no objection if the Order dated 22.07.2022 is recalled qua the applicant/petitioner.

6. In this view of the matter, M.A.No.108 of 2023 is allowed; the Order dated 22.07.2022, disposing of SLP(C)No.30333 of 2018, is recalled and the said SLP is restored to its original number and file. Consequently, IA No.194090/2022 stands disposed of.

7. This Order, however, shall not impact the other matters which already stand disposed of vide Order dated 22.07.2022.

8. Let SLP(C)No.30333 of 2018 be listed along with SLP(C)No.30204 of 2018.

(SATISH KUMAR YADAV)
DEPUTY REGISTRAR

(PREETHI T.C.)
COURT MASTER (NSH)