

ITEM NO.2 Court 1 (Video Conferencing)

SECTION PIL-W

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

Writ Petition(s)(Civil) No(s). 434/2011

AMIT KUMAR

Petitioner(s)

VERSUS

STATE OF UTTAR PRADESH AND ORS.

Respondent(s)

(IA - 124228/2020 (APPROPRIATE ORDERS/DIRECTIONS)).

Date : 21-01-2021 This matter was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE A.S. BOPANNA
HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN

For Petitioner(s) Mr. Prashant Kumar, AOR

For Respondent(s) Mr. R.K. Raizada, Sr. Adv.
R.No.1 Mr. Bhakti Vardhan Singh, AOR
Mr. Rajesh Kumar, Adv.
Mr. Soumya Ranjan Paikray < Adv.

Mr. Arvind Datar, Sr. Adv.
Ms. Sharmila Upadhyay, AOR
Mr. Pawan R. Upadhyay, Adv.
Mr. Sarvjit Pratap Singh, Adv.
Mr. Akash Tyagi, Adv.
Mr. Ratik Sharma, Adv.

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

Having heard the matter, we are of the view that the petition under Article 32 of the Constitution of India in the circumstances of this case, might not be tenable.

Learned counsel appearing on behalf of the writ petitioner stated that the private respondents which held the event viz. Formula-1 Race, has collected the entertainment tax and that in

such circumstances, if the petition is disposed of as untenable, the respondents will be unjustly enriched.

Shri Arvind Datar, learned senior counsel appearing on behalf of the respondents who held the Formula-I Race states that the respondents did not collect any amount towards the entertainment tax from anyone for the event which was held in the years 2011 and 2012. Since it is a question of fact, we direct that an appropriate statutory authority under the U.P. Entertainment and Betting Tax Act will hold an inquiry and submit a report to this Court within a period of four weeks as to whether the respondents have in fact collected the entertainment tax in regard to the event in question.

The private respondents will be at liberty to produce such evidence as appropriate for the purpose of the inquiry before the said authority.

List the matter after four weeks.

(MADHU BALA)
AR-CUM-PS

(INDU KUMARI POKHRIYAL)
ASSISTANT REGISTRAR