

West Block No.2, R.K.Puram, New Delhi

Date of hearing: 19.07.2017

2. Heard Shri Manish Saharan, learned counsel for the assessee-appellants and Shri H.C. Saini, DR for the Department.

3. After hearing both sides and on perusal of the record, it appears that the impugned order is the subject matter before the Hon'ble High Court of Madhya Pradesh (Indore Bench) in the Writ Petition No. 4474/2007 and the Hon'ble Court vide order dated 14.08.2008 granted stay of the impugned order. It is further observed that the matter is *sub judice* before the Hon'ble Apex Court.

4. During the course of arguments, both sides have agreed that the matter cannot be adjudicated without having the final verdict from the Hon'ble High Court where the matter is *sub judice*. When it is so, with the consent of both sides, liberty is granted to the assessee-Appellants to come again after having the final verdict from the Hon'ble High Court within the prescribed time, if advise so.

5. With the aforesaid liberty, the appeal stands disposed of.

[Dictated and Pronounced in the open court]

(V. Padmanabhan)
Technical Member

(Justice Dr. Satish Chandra)
President

Bhanu