

Court No. - 3

Case :- WRIT TAX No. - 1375 of 2023

Petitioner :- Payush Bhutani

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Vedant Agarwal

Counsel for Respondent :- C.S.C.

Hon'ble Siddhartha Varma,J.

Hon'ble Shekhar B. Saraf,J.

As prayed, list this case on 18.12.2023 as fresh.

Order Date :- 11.12.2023

Pkb/

Court No. - 3

Case :- WRIT TAX No. - 1375 of 2023

Petitioner :- Payush Bhutani

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Vedant Agarwal

Counsel for Respondent :- C.S.C.

Hon'ble Siddhartha Varma,J.

Hon'ble Shekhar B. Saraf,J.

Learned counsel for petitioner has prayed that road tax which the petitioner had paid with regard to the hybrid electricity vehicle be refunded to the petitioner in pursuance of the policy dated 14.10.2022 and the Government Order dated 02.03.2023 which was retrospectively applied. Petitioner has also prayed for interest on the delayed payment.

Shri Nimai Dass, learned Additional Chief Standing Counsel may take instructions in the matter.

Put up this case as fresh on 17.01.2024.

Order Date :- 18.12.2023

Sharad/-

(Shekhar B. Saraf, J.) (Siddhartha Varma, J.)

Court No. - 39

Case :- WRIT TAX No. - 1375 of 2023

Petitioner :- Payush Bhutani

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Vedant Agarwal

Counsel for Respondent :- C.S.C.

Hon'ble Saumitra Dayal Singh,J.

Hon'ble Manjive Shukla,J.

1. Issue involved pertains to liability of road tax of electric vehicles.
2. Learned Standing Counsel prays for and is granted three weeks' time to file counter affidavit. Petitioner shall have one week thereafter to file rejoinder affidavit.
3. Counter affidavit will contain all policy decisions applicable to said vehicles and bring out the exact reason why the exemption claimed by the petitioner would not be available.
4. Put up on 21.2.2024 in top ten cases, along with Writ Tax Nos. 1376 of 2023 and 1377 of 2023.

Order Date :- 17.1.2024

Salim

(Manjive Shukla, J.) (S.D. Singh, J.)

Court No. - 39

Case :- WRIT TAX No. - 1375 of 2023

Petitioner :- Payush Bhutani

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Vedant Agarwal

Counsel for Respondent :- C.S.C.

Hon'ble Saumitra Dayal Singh,J.

Hon'ble Manjive Shukla,J.

1. Shri Ankur Agarwal, learned Standing Counsel prays for and is granted three weeks and no more time to comply with the earlier order. Petitioner shall have one week thereafter to file rejoinder affidavit.

2. List on 20.3.2024 in **top ten cases.**

Order Date :- 21.2.2024

Prakhar

(Manjive Shukla, J.) (S.D. Singh, J.)

Court No. - 39

Case :- WRIT TAX No. - 1375 of 2023

Petitioner :- Payush Bhutani

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Vedant Agarwal

Hon'ble Saumitra Dayal Singh,J.

Hon'ble Surendra Singh-I,J.

1. Time extension application has been filed by the learned Additional Chief Standing Counsel. Relying on the contents of the affidavit filed in support thereof, it has been represented to the Court that the matter of grant of exemption from payment of registration fee, road tax to hybrid electric vehicles is under active consideration. At present the duly constituted committee has submitted its report. It is favorable to the petitioner. However, final decision is to be made by the State Government. In that regard letter has been written on 13.03.2024. For reasons of elections having intervened, the decision would have to wait for some time.

2. Accordingly, time extension application is disposed of.

3. List this case in the week commencing 01.07.2024 in top ten cases.

Order Date :- 20.3.2024

I.A.Siddiqui

(Surendra Singh-I,J.)

(S. D. Singh, J.)

Court No. - 40

Case :- WRIT TAX No. - 1375 of 2023

Petitioner :- Payush Bhutani

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Vedant Agarwal

with

Case :- WRIT TAX No. - 1376 of 2023

Petitioner :- Payush Bhutani

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Vedant Agarwal

with

Case :- WRIT TAX No. - 1377 of 2023

Petitioner :- Abhishek Maheshwari

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Vedant Agarwal

Hon'ble Shekhar B. Saraf,J.

Hon'ble Manjive Shukla,J.

1. Sri Nimai Das, learned Additional Chief Standing Counsel submits that the Government has now taken decision on June 28, 2024 with regard to granting exemption from road tax to Hybrid electric vehicles, Strong hybrid electric vehicle, Plug-in hybrid electric vehicle, Series hybrid electric vehicle and Series parallel hybrid electric vehicle.

2. In light of the same, it is clear that amount paid by the petitioner for road tax was exempted.

3. Accordingly, respondent authorities are directed to refund the amount paid by the petitioner within a period of six weeks from date.

4. We make it clear that no interest shall be payable to the petitioner on the said amount.

5. With the above direction the writ petitions are disposed of.

Order Date :- 3.7.2024

Salim

(Manjive Shukla, J.) (Shekhar B. Saraf,J.)