

Dhaval Talati

6 No Penal Interest for Non- Filing of Returns without Statutory Provision. Maruti Wire INDS. Pvt. Ltd. Vs S.T.O. IST Circle Mattancherry and Others (Supreme Court of India) [Appeal (civil) 3009 of 1999]
Facts of the case Maruti Wire INDS. Pvt. Ltd., based in Patna, entered into an agreement with M/s. Tata Oil Mills Co. Ltd. to supply imported inedible tallow to their factory in Ernakulam. The tallow was imported through Cochin Port and delivered to the buyer. However, the appellant did not file a return for the turnover related to this transaction. The Sales Tax Officer finalized the assessment and served a notice to the appellant on demanding sales tax, which was subsequently paid by the appellant. Later, the appellant received two notices demanding penal interest under Section 23(3) of the Act for the period from May 2.....