

COMMISSIONER OF CENTRAL EXCISE PUNE III

Appellant(s)

VERSUS

M/S BAJAJ ALLIANZ GENERAL INSURANCE COMPANY LTD.

Respondent(s)

O R D E R

The question before the learned Customs, Excise & Service Tax Appellate Tribunal [for short 'the Tribunal'] was whether the service tax was payable on a premium in terms of the insurance policy covering the future period at revised rates, if the rates are revised by law during the operation of policy already issued and service tax liability is discharged.

The learned Tribunal, by a detailed judgment and order, and considering the fact that the entire premium was paid prior to 10.09.2004 i.e. before the change in the rate of tax, has rightly observed and held that the assessee is not liable to pay the enhanced rate of tax.

We are in complete agreement with the view taken by the Tribunal.

The Appeal stands dismissed.

..... J.  
(M.R. SHAH)

..... J.  
(KRISHNA MURARI)

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

Civil Appeal No(s). 4001/2009

COMMISSIONER OF CENTRAL EXCISE PUNE III

Appellant(s)

VERSUS

M/S BAJAJ ALLIANZ GENERAL INSURANCE COMPANY LTD.

Respondent(s)

(IA No. 3/2012 - STAY APPLICATION)

Date : 08-09-2022 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE M.R. SHAH  
HON'BLE MR. JUSTICE KRISHNA MURARI

For Appellant(s) Mr. N. Venkatraman, ASG  
Mr. Arijit Prasad, Sr. Adv.  
Mr. Mukesh Kumar Maroria, AOR  
Mr. H.R. Rao, Adv.  
Mr. V.C. Bharathi, Adv.

For Respondent(s) Mr. V. Sridharan, Sr. Adv.  
Mr. Vinay Kr. Jain, Adv.  
Ms. Mounica Kasturi, Adv.  
Mr. Aditya Bhattacharya, Adv.  
Ms. Apeksha Mehta, Adv.  
Mr. Pranav Mundra, Adv.  
Mr. R. Parthasarathy, AOR

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

The Appeal stands dismissed in terms of the signed order.

Pending applications, if any, stand disposed of.

(R. NATARAJAN)  
ASTT. REGISTRAR-cum-PS

(NISHA TRIPATHI)  
ASSISTANT REGISTRAR

(Signed order is placed on the file)