

## **Service Tax:**

N. Bala Basker Vs. Union of India

The Assessee entered into a Jt. Development Agreement ( JDA ) with a builder for construction of residential apartments & challenged the levy of Service tax by the builder on that part of his apartments which he receives as consideration for transfer his rights in the land.

The High Court on a petition by the assessee held that as per Clause 23 of the agreement entered into by the assessee with his Builder states very clearly that "The parties of the first part are liable to pay all government taxes, statutory levies including service tax, VAT on construction..... “

The assessee further petition ( SLP ) before the Supreme Court was also dismissed.