IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 25TH DAY OF MARCH 2015/4TH CHAITHRA, 1937

WP(C).No. 9477 of 2015 (H)

PETITIONER(S):

M/S.KERALA STATE AGRICULTURAL &
RURAL DEVELOPMENT BANK LTD.,
TRIVANDRUM, REPRESENTED BY GENERAL MANAGER.

BY ADVS.SRI.ANIL D. NAIR,
SRI.R.SREEJITH,
SMT.C.S.SULEKHA BEEVI,
SMT.ROSIE ATHULYA JOSEPH.

RESPONDENT(S):
----

1. INCOME TAX OFFICER, WARD-2(1),
THIRUVANANTHAPURAM-695 003.

2. THE COMMISSIONER OF INCOME TAX (APPEALS)-I,
AAYAKAR BHAVAN, KOWDIAR,
THIRUVANANTHAPURAM-695 003.

BY ADV. SRI.K.M.V.PANDALAI, SC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 25-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

rs.

WP(C).No. 9477 of 2015 (H)

APPENDIX

PETITIONER'S EXHIBITS:-

EXT.P1 **COPY OF THE ASSESSMENT ORDER DATED 24/02/2015 FOR THE YEAR 2012-13 ISSUED TO THE PETITIONER BY THE FIRST RESPONDENT.**

EXT.P2 **COPY OF THE APPEAL FILED BY THE PETITIONER BEFORE THE SECOND RESPONDENT FOR THE A.Y.2012-13.**

EXT.P3 **COPY OF THE STAY PETITION FILED BEFORE THE SECOND RESPONDENT FOR THE AY.2012-13.**

RESPONDENT'S EXHIBITS:- **NIL.**

//TRUE COPY//

P.A. TO JUDGE

rs.

A.K.JAYASANKARAN NAMBIAR, J.
==
W.P.(C). No. 9477 of 2015
==
Dated this the 25th day of March, 2015

JUDGMENT

Against Ext.P1 assessment order passed under the Kerala Income Tax Act, the petitioner preferred Ext.P2 appeal and Ext.P3 stay petition before the 2nd respondent. The grievance of the petitioner is that even before considering the stay petition, the respondents are taking steps to recover the amounts confirmed against the petitioner by Ext.P1 order.

2. I have heard the learned counsel appearing for the petitioner as also the learned Government Pleader appearing for the respondents.

3. On a consideration of the facts and circumstances of the case and the submissions made across the bar, I dispose the writ petition with a direction to the 2nd respondent to consider and pass orders on Ext.P3 stay petition, preferred by the petitioner before him, within a period of two months from the date of receipt of a copy of this judgment, after hearing the petitioner. The recovery steps for recovery of amounts confirmed against the petitioner by

Ext.P1 order, shall be kept in abeyance till such time as the 2nd respondent passes orders, as directed, in Ext.P4 stay petition and communicates the same to the petitioner.

sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

das