

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 10TH DAY OF APRIL 2015/20TH CHAITHRA, 1937

WP(C).No. 12481 of 2015 (I)

PETITIONER(S):

**THE KURUVAMBALAM SERVICE CO-OPERATIVE BANK LTD.,
F 1638, CHEMMALASSERY P.O., MALAPPURAM,
REPRESENTED BY ITS SECRETARY.**

BY ADV. SRI.O.D.SIVADAS

RESPONDENT(S):

**1.THE COMMISSIONER OF INCOME TAX (APPEALS),
AYAKAR BHAVAN, KOZHIKODE 673 001.**

2.THE INCOME TAX OFFICER, WARD (4) TIRUR 676 101.

R BY SRI.K.M.V.PANDALAI, INCOME TAX DEPARTMENT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
10-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

W.P.(C).NO.12481/2015

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE ASSESSMENT ORDER DATED 7.3.2015 ISSUED BY THE 2ND RESPONDENT.

EXT.P2: COPY OF THE APPEAL DATED 30.4.2015 FILED BEFORE THE 1ST RESPONDENT.

EXT.P3: COPY OF THE STAY PETITION DATED 30.4.2015 FILED BEFORE THE 1ST RESPONDENT.

RESPONDENTS EXHIBITS: NIL.

//TRUE COPY//

P.S TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.12481 OF 2015 (I)

Dated this the 10th day of April, 2015

J U D G M E N T

Against Ext.P1 assessment order under the Income Tax Act, the petitioner had preferred Ext.P2 appeal and Ext.P3 stay petition before the 1st respondent. It is the case of the petitioner that, even prior to considering the stay petition, recovery steps are taken by the respondents for recovery of the amounts confirmed against the petitioner by Ext.P1 assessment order.

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

3. On a consideration of the facts and circumstances of the case as also the submissions made across the Bar, I dispose the writ petition with the following directions:

1. The 1st respondent shall consider and pass orders on Ext.P3 stay petition within a period of two months from the date of receipt of a copy of this judgment,

after hearing the petitioner.

2.Recovery steps for recovery of amounts confirmed against petitioner pursuant to Ext.P1 assessment order shall be kept in abeyance till orders are passed by the 1st respondent as directed above and communicated to the petitioner.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp