

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE C.T.RAVIKUMAR

TUESDAY, THE 21ST DAY OF APRIL 2015/1ST VAISAKHA, 1937

WP(C).No. 12694 of 2015 (J)

PETITIONER:

M/S.LAND N ROCK EQUIPMENTS, EDAPPALLY, KOCHI
REPRESENTED BY ITS MANAGING PARTNER JOSEPH KURIAN.

BY ADV. SRI.AJI V.DEV

RESPONDENTS:

1. ASSISTANT COMMISSIONER (APPEALS)
COMMERCIAL TAXES, ERNAKULAM - 682 015.
2. THE COMMERCIAL TAX OFFICER,
COMMERCIAL TAXES, 2ND CIRCLE,
KALAMASSERY - 682 024.
3. INSPECTING ASSISTANT COMMISSIONER,
COMMERCIAL TAXES, ERNAKULAM - 682 015.

BY GOVERNMENT PLEADER SRI.T.R.RAJESH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
21-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 12694 of 2015 (J)

APPENDIX

PETITIONER'S EXHIBITS

EXHIBIT-P1-TRUE COPY OF THE ASSESSMENT ORDER PASSED FOR THE YEAR
2013-14 DATED 07/01/2015.

EXHIBIT-P2-TRUE COPY OF THE STATUTORY APPEAL FILED ALONG WITH
PETITION FOR STAY OF COLLECTION OF TAX FOR THE YEAR 2013-
14 DATED 09/02/2015.

EXHIBIT-P3-TRUE COPY OF THE INTERLUCOTRY ORDER ISSUED BY THE IST
RESPONDENT GRANTING CONDITIONAL STAY DATED 24/02/2015.

EXHIBIT-P4-TRUE COPY OF THE JUDGMENT IN W.P(C) 8563/2015 DATED
18/03/2015

RESPONDENTS' EXHIBITS: NIL

// TRUE COPY //

TKS

P.S. TO JUDGE

C.T.RAVIKUMAR, J.

W.P.(C)No.12694 of 2015

Dated 21st April, 2015

JUDGMENT

On perusing the contentions raised in the writ petition it is evident that virtually, the petitioner seeks only for an extension of the time stipulated by this Court as per Ext.P4 judgment. I am of the view that the course open to the petitioner in such circumstance is to file appropriate petition in the said writ petition itself. When faced with such a situation the learned counsel for the petitioner sought permission to withdraw the writ petition without prejudice to the right of the petitioner to move appropriate petition in the writ petition. Permission sought for is granted. The writ petition is dismissed as withdrawn without prejudice to the right of the petitioner to move appropriate petition in the writ petition.

Sd/-
C.T.RAVIKUMAR
Judge

TKS