

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 8TH DAY OF MAY 2015/18TH VAISAKHA, 1937

WP(C).No. 13501 of 2015 (K)

PETITIONER :

**SUJA SEBASTIAN, PROPRIETOR,
M/S. KUNNUMPURATHU AGENCIES, ELLAKKAL P.O.,
RAJAKKADU, IDUKKI DIST.**

**BY ADVS.SRI.C.K.SREEJITH
SRI.S.ASOKAN**

RESPONDENT(S):

- 1. COMMERCIAL TAX OFFICER, ADIMALY,
IDUKKI-685 561.**
- 2. THE DEPUTY COMMISSIONER (APPEALS),
COMMERCIAL TAXES DEPARTMENT, KOTTAYAM-686 001.**
- 3. STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
TAXES DEPARTMENT, GOVT. SECRETARIAT,
TRIVANDRUM-695 001.**

BY GOVERNMENT PLEADER SRI.P.FAZIL

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 08-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 13501 of 2015 (K)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: THE TRUE COPY OF THE BEST JUDGMENT ASSESSMENT ORDER
DATED 9.2.15.

EXHIBIT P2: THE TRUE COPY OF DEMAND NOTICE IN FORM NO.12 DATED 9.2.2015.

EXHIBIT P3: THE TRUE COPY OF THE APPEAL MEMORANDUM IN FORM NO.29
DATED 17.3.2015.

EXHIBIT P4: THE TRUE COPY OF THE URGENT PETITION DATED 17.3.2015.

EXHIBIT P5: THE TRUE COPY OF STAY PETITION IN FORM NO.30 DATED 17.3.2015.

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.S.TO JUDGE

sts

A.MUHAMED MUSTAQUE, J.

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**W.P.(C).No.13501/2015**

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Dated this the 8th Day of May, 2015

J U D G M E N T

The petitioner approached the second respondent by Ext.P3 appeal and Ext.P5 stay petition against assessment for the year 2010-11 under Section 25(1) of the KVAT Act, 2003. In view of the pendency of the stay petition, there shall be a direction to the second respondent to consider Ext.P5 within a period of two months. Till a decision is taken on Ext.P5, all recovery proceedings shall be kept in abeyance.

The writ petition is disposed of. No costs.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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