

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.13643 of 2015 (E)

PETITIONER:

**K.C.JOSE,PROPRIETOR,MALABAR CEMENT AGENT,
PAINKULAM,THRISSUR DISTRICT.**

**BY ADVS.SRI.N.MURALEEDHARAN NAIR
SRI.V.K.SHAMUSUDHEEN**

RESPONDENTS:

- 1. THE COMEMRCIAL TAX OFFICER,
WADAKKANCHERY-680582.**
- 2. THE ASSISTANT COMMISSIONER (APPEALS),
DEPARTMENT OF COMMERCIAL TAXES,
PANKAJ BUILDINGS,WEST FORT,THRISSUR-680 004.**

BY GOVT. PLEADER SRI.FAZIL

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

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WP(C).No.13643 of 2015 (E)

APPENDIX

PETITIONER'S EXHIBITS:

**EXT.P1:TRUE COPY OF THE ASSESSMENT ORDER PASSED BY 1ST
RESPONDENT FOR THE YEAR 2009-2010 DATED 25.02.2015.**

**EXT.P2:TRUE COPY OF THE APPEAL FILED BY THE PETITIONER BEFORE THE
2ND RESPONDENT DATED 23.03.2015.**

**EXT.P3:TRUE COPY OF THE STAY PETITION FILED BY THE PETITIONER BEFORE
THE 2ND RESPONDENT DATED 23.03.2015.**

**EXT.P4:TRUE COPY OF THE DEMAND NOTICE IN FORM NO.12 ISSUED BY 1ST
RESPONDENT FOR THE YEARS 2009-10 DATED 25.02.2015.**

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

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A.MUHAMED MUSTAQUE, J.

W.P.(C) No.13643 of 2015

Dated this the 8th day of May, 2015

JUDGMENT

Aggrieved by the order of assessment under the Kerala Value Added Tax Act, the petitioner has approached the second respondent by Ext.P2 appeal. The petitioner also moved Ext.P3 stay application.

In view of the pendency of Ext.P3 stay application, there shall be a direction to the second respondent to consider the same within a period of two months from the date of receipt of a copy of this judgment. Till a decision is taken on Ext.P3 stay application, all recovery proceedings shall be kept in abeyance.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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