

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. 13650 of 2015 (E)

PETITIONER(S) :

**M/S.SURABHI STEEL ROLLING MILLS (PRIVATE) LIMITED,
AKATHETHARA, PALAKKAD,
REPRESENTED BY ITS MANAGING DIRECTOR,
SRI.M.A.SHAHABUDHEEN.**

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

RESPONDENT(S) :

- 1. THE ASSISTANT COMMISSIONER (KVAT),
COMMERCIAL TAXES, SPECIAL CIRCLE, PALAKKAD - 678 001.**
- 2. THE DEPUTY COMMISSIONER (APPEALS),
DEPARTMENT OF COMMERCIAL TAXES, ERNAKULAM - 682 015.**

BY GOVERNMENT PLEADER SMT.ROSE MICHAEL

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

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1: TRUE COPY OF THE ASSESSMENT ORDER PASSED BY
1ST RESPONDENT FOR THE YEAR 2009-2010 DATED 03/03/2015.**
- EXT.P2: TRUE COPY OF THE APPEAL FILED BY THE PETITIONER BEFORE
THE 2ND RESPONDENT DATED 18/04/2015.**
- EXT.P3: TRUE COPY OF THE STAY PETITION FILED BY THE PETITIONER
BEFORE THE 2ND RESPONDENT DATED 18/04/2015.**
- EXT.P4: TRUE COPY OF THE DEMAND NOTICE IN FORM NO.12 ISSUED BY
1ST RESPONDENT FOR THE YEAR 2009-10 DATED 03/03/2015.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.13650 of 2015

Dated this the 8th day of May, 2015

JUDGMENT

Aggrieved by Ext.P1 assessment order, the petitioner approached the second respondent in an appeal. The petitioner also filed stay application.

In view of the pendency of the stay application, there shall be a direction to the second respondent to consider the same after affording an opportunity of hearing to the petitioner within a period of two months. Till a decision is taken in the stay application, all recovery proceedings pursuant to the assessment order shall be kept in abeyance.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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