

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. 13665 of 2015 (G)

PETITIONER(S):

**M/S. SURABHI STEEL TUBES (P) LTD.,
NEW INDUSTRIAL DEVELOPMENT AREA, KANJIKODE, PALAKKAD,
REPRESENTED BY ITS DIRECTOR, SRI. M.A.SHAHABUDHEEN.**

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

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 SRI.FAZIL P.

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

msv/

WP(C).No. 13665 of 2015 (G)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: TRUE COPY OF THE ASSESSMENT ORDER PASSED BY
IST RESPONDENT FOR THE YEAR 2010-2011 DATED 7.3.2015.**

**EXHIBIT P2: TRUE COPY OF THE APPEAL FILED BY THE PETITIONER BEFORE THE
2ND RESPONDENT DATED 18.4.2015.**

**EXHIBIT P3: TRUE COPY OF THE STAY PETITION FILED BY THE PETITIONER BEFORE
THE 2ND RESPONDENT DATED 18.4.2015.**

**EXHIBIT P4: TRUE COPY OF THE DEMAND NOTICE IN FORM NO.12 ISSUED BY
IST RESPONDENT FOR THE YEAR 2010-11 DATED 7.3.2015.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.13665 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 have approached the second respondent by Ext.P2 appeal. The petitioner also filed 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 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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