

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 12TH DAY OF MAY 2015/22ND VAISAKHA, 1937

WP(C).No. 14136 of 2015 (N)

PETITIONER(S):

**M/S. KHADEEJA TIMBER INDUSTRIES,
VANIYAMKULAM, OTTAPALAM, PALAKKAD,
REP. BY K.ABDUL LATHEEF, PROPRIETOR.**

BY ADV. SRI.JOSE JOSEPH

RESPONDENT(S):

- 1. THE COMMERCIAL TAX OFFICER,
OTTAPALAM, PALAKKAD - 6322 013.**
- 2. THE ASSISTANT COMMISSIONER (APPEALS),
COMMERCIAL TAXES, PALAKKAD - 632 013.**

BY SENIOR GOVERNMENT PLEADER SRI.A.M.SAVAD

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
12-05-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 14136 of 2015 (N)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT-P1: TRUE COPY OF ASSESSMENT ORDER U/S 25 OF THE KVAT ACT FOR
THE YEAR 2012-13.**

EXHIBIT-P2: TRUE COPY OF APPEAL AGAINST EXT.P1 ORDER.

**EXHIBIT-P3: TRUE COPY OF THE PETITION TO CONDONE THE DELAY IN FILING
EXT.P2 APPEAL.**

EXHIBIT-P4: TRUE COPY OF PETITION FOR STAY.

EXHIBIT-P5: TRUE COPY OF PETITION FOR EARLY HEARING OF EXT.P2 APPEAL.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Ms v/

A. MUHAMED MUSTAQUE, J.

W.P.(C) No.14136 of 2015

Dated this the 12th day of May, 2015

JUDGMENT

The petitioner, against Ext.P1 assessment order, filed Ext.P2 appeal with Ext.P3 delay petition. Petitioner also moved Ext.P4 application for stay.

2. Considering the facts and circumstances, there shall be a direction to the 2nd respondent to take up delay petition within one month from the date of production of a copy of this judgment. If the delay is condoned, there shall also be a direction to dispose of the stay application within a further period of one month after hearing the petitioner. Till the above directions are complied with, the recovery proceedings against the petitioner pursuant to Ext.P1 assessment order shall be kept in abeyance.

The Writ Petition is disposed of.

**A. MUHAMED MUSTAQUE,
JUDGE**