

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 22ND DAY OF MAY 2015/1ST JYAISHTA, 1937

WP(C).No.15069 of 2015 (G)

PETITIONER:

**A.V.INDIRA DEVI,STAR TRADERS,
NAVAIKULAM,THIRUVANANTHAPURAM.**

**BY ADVS.SRI.S.SURESH BABU (CHERUNNIYOOR)
SRI.AJI V.DEV**

RESPONDENT'S:

- 1. DEPUTY COMMISSIONER [APPEALS],
COMMERCIAL TAXES,THIRUVANANTHAPURAM-695 002.**
- 2. THE ASSISTANT COMMISSIONER (ASSESSMENT),
SPECIAL CIRCLE,COMMERCIAL TAXES,
THIRUVANANTHAPURAM-695 002.**
- 3. THE INSPECTING ASSISTANT COMMISSIONER,
COMMERCIAL TAXES,THIRUVANANTHAPURAM-695 002.**

BY GOVT. PLEADER SMT.SOBHA ANNAMMA EAPEN.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 22-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

pk

APPENDIX

PETITIONER'S EXHIBITS:

- P1- A TRUE COPY OF THE PRE-ASSESSMENT NOTICE ISSUED BY THE 2ND RESPONDENT DATED 18/10/2013.
- P2- A TRUE COPY OF THE REPLY FILED BY THE PETITIONER DATED 29/10/2013.
- P3- A TRUE COPY OF THE SECOND PRE-ASSESSMENT NOTICE ISSUED BY THE 2ND RESPONDENT DATED 3/2/2014.
- P4- A TRUE COPY OF THE REPLY FILED BY THE PETITIONER DATED 13/2/2014.
- P5- A TRUE COPY OF THE DISPUTED ASSESSMENT ORDER DATED 22/4/2014.
- P6- A TRUE COPY OF THE APPEAL FILED BEFORE 1ST RESPONDENT DATED 8/4/2014.
- P6(A)- A TRUE COPY OF THE STAY PETITION FILED DATED 20/5/2014.
- P6(B)- A TRUE COPY OF THE ADVANCED HEARING PETITION FILED DATED 20/5/2014.
- P7- A TRUE COPY OF THE STAY ORDER ISSUED BY THE 1ST RESPONDENT GRANTING CONDITIONAL STAY DATED 20/2/2015.

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.15069 of 2015

Dated this the 22nd day of May, 2015

J U D G M E N T

The petitioner has filed this writ petition seeking to quash Ext.P7 order in a stay application pending appeal. In the stay petition a conditional order was passed on 20.02.2015 directing the petitioner to remit 30% of the disputed amount and to furnish adequate security for the balance amount before the assessing authority within three weeks from the date of receipt of that order. The petitioner challenges the impugned order on the ground that, the order was passed without adverting to the petitioner's contentions in the appeal.

2. Heard the learned counsel for the petitioner as well as the learned Government Pleader for the respondents.

3. I have gone through the impugned order. Various contentions of the petitioner have been discussed in the impugned order. I do not find any infirmity with the same. Accordingly, the petitioner's challenge against impugned is unsustainable.

4. Considering the facts and circumstances of the case, the petitioner is granted six weeks time from today to comply with the order.

This writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.