

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 27TH DAY OF MAY 2015/6TH JYAISHTA, 1937

WP(C).No. 15571 of 2015 (V)

PETITIONER:

A K NAZAR
PROPRIETOR, RAHATH GRANITE (ROCKLAND GRANITE)
VALIYAKULAM, WEST VENGOLA
PERUMBAVOOR.

BY ADVS.SRI.K.M.FIROZ
SMT.M.SHAJNA
SRI.S.KANNAN

RESPONDENTS:

1. THE COMMERCIAL TAX OFFICER
COMMERCIAL TAXES DEPARTMENT,
2ND CIRCLE, PERUMBAVOOR.
2. THE ASSISTANT COMMISSIONER (APPEALS)
COMMERCIAL TAXES DEPARTMENT,
ERNAKULAM. 682 015.
3. THE TAHSILDAR (REVENUE RECOVERY)
KANAYANNUR TALUK, ERNAKULAM,
KOCHI 682 011.
4. DEPUTY TAHSILDAR (REVENUE RECOVERY)
KANAYANNUR TALUK, ERNAKULAM,
KOCHI 682 011.

R BY GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
27-05-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXHIBIT P1. COPY OF THE ASSESSMENT ORDER DATED 31.3.14 FOR THE PERIOD 2007-2008 ALONG WITH DEMAND NOTICE ISSUED BY THE 1ST RESPONDENT.

EXHIBIT P2. COPY OF THE APPEAL MEMORANDUM DATED 17.10.14 AGAINST THE ASSESSMENT ORDER FOR THE YEAR 2007-2008 BEFORE THE 2ND RESPONDENT.

EXHIBIT P3. COPY OF THE STAY PETITION DATED 17.10.14 AGAINST THE ASSESSMENT ORDER FOR THE YEAR 2007-2008 BEFORE THE 2ND RESPONDENT.

EXHIBIT P4. COPY OF THE DEMAND NOTICE ISSUED BY THE 4TH RESPONDENT BEARING NO.E2-2137/15/ST DATED 22.4.15 IN FORM NO.1 TO THE PETITIONER.

EXHIBIT P5. COPY OF THE DEMAND NOTICE ISSUED BY THE 3RD RESPONDENT BEARING NO.E2-2137/15/ST DATED 22.4.15 IN FORM NO.10 TO THE PETITIONER.

RESPONDENTS' EXHIBITS

----- : NIL

// TRUE COPY//

P A TO JUDGE

sm/

A.MUHAMED MUSTAQUE, J.

W.P.(C) No. 15571 of 2015

Dated this the 27th day of May, 2015

JUDGMENT

The petitioner, impugning Ext.P1 Assessment Order filed Ext.P2 appeal memorandum before the 2nd respondent. The petitioner also filed Ext.P3 stay application.

2. Considering the facts and circumstances, there shall be a direction to the 2nd respondent to consider the stay application within a period of two months after issuing notice to the petitioner. Till the disposal of stay application, all recovery proceedings based on Assessment Order shall be kept in abeyance.

The writ petition is disposed of as above.

**Sd/-
A.MUHAMED MUSTAQUE
JUDGE**

sm/27.05.15