

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 28TH DAY OF MAY 2015/7TH JYAISHTA, 1937

WP(C).No. 15710 of 2015 (K)

PETITIONER(S) :

**SOUTH MALABAR GRAMIN BANK,
POST BOX NO.10, SMGB TOWER, A.K.ROAD, MALAPPURAM- 676 505,
REPRESENTED BY ITS GENERAL MANAGER.**

**BY ADVS.SRI.MOHAN PULICKKAL
SRI.R.SUDHIR
SRI.P.P.NARAYANAN**

RESPONDENT(S) :

- 1. THE ASSISTANT COMMISSIONER OF INCOME TAX,
CIRCLE 2(2), TIRUR - 676 101.**
- 2. THE COMMISSIONER OF INCOME TAX, AAYAKAR BHAVAN,
NORTH BLOCK, KOZHIKODE - 673 001.**
- 3. THE COMMISSIONER OF INCOME TAX (APPEALS),
AAYAKAR BHAVAN, MANANCHIRA, KOZHIKODE -673 001.**

BY ADV. SRI.K.M.V.PANDALAI, S.C, INCOME TAX DEPARTMENT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 28-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1: TRUE COPY OF THE ASSESSMENT ORDER DATED 26.03.2014 FOR ASSESSMENT YEAR 2008-09.**
- EXT.P2: TRUE COPY OF THE ASSESSMENT ORDER DATED 14.03.2014 FOR ASSESSMENT YEAR 2011-12.**
- EXT.P3: TRUE COPY OF INCOME TAX APPEAL BEFORE CIT (APPEALS) FOR ASSESSMENT YEAR 2008-09.**
- EXT.P4: TRUE COPY OF INCOME TAX APPEAL BEFORE CIT (APPEALS) FOR ASSESSMENT YEAR 2011-12.**
- EXT.P5: TRUE COPY OF PETITION FOR STAY DATED 05.05.2015 FOR ASSESSMENT YEAR 2008-09.**
- EXT.P6: TRUE COPY OF PETITION FOR STAY DATED 05.05.2015 FOR ASSESSMENT YEAR 2011-12.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.15710 of 2015

Dated this the 28th day of May, 2015

J U D G M E N T

The petitioner has filed this writ petition challenging Exts.P1 and P2 assessment orders for the year 2008-09 and 2011-12 respectively passed by the 1st respondent. The petitioner has preferred Exts.P3 and P4 appeals and Exts.P5 and P6 stay petitions against the said orders.

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

3. Considering the facts and circumstances of the case, this writ petition is disposed of directing the 3rd respondent to consider the stay petitions, after issuing notice to the petitioner, within a period of three months from the date of receipt of a copy of this judgment. Till a final decision is taken as directed above, all the coercive proceedings pursuant to the assessment orders shall be kept in abeyance.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.