

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 17TH DAY OF JUNE 2015/27TH JYASHTA, 1937

WP(C).No. 16671 of 2015 (H)

PETITIONER(S) :

**RAJEEV P.K, AGED 48 YEARS,
S/O.KARUNAKARA PANICKER, M/S. EDUSPOT KERALA,
NEAR T.D MEDICAL COLLEGE, VANDANAM P.O.,
ALAPPUZHA DISTRICT - 688 005.**

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENT(S) :

- 1. THE STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT,
TAXES DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**
- 2. THE DEPUTY COMMISSIONER,
APPEALS, KOLLAM - 691 001.**
- 3. THE COMMERCIAL TAX OFFICER -I,
1ST CIRCLE, DEPARTMENT OF TAXES, ALAPPUZHA - 681 001.**
- 4. THE DEPUTY DIRECTOR OF EDUCATION,
ALAPPUZHA - 681 001.**
- 5. THE SECRETARY TO THE GOVERNMENT,
EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**

BY GOVERNMENT PLEADER SRI.R.RENJITH

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 17-06-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT-P1:** A TRUE COPY OF THE NOTICE ISSUED ON THE PETITIONER DATED 28/01/2015 BY THE COMMERCIAL TAX OFFICER-I, ALAPUZHA.
- EXHIBIT-P2:** A TRUE COPY OF THE REPLY OF THE PETITIONER TO THE COMMERCIAL TAX OFFICER DATED NIL.
- EXHIBIT-P3:** A TRUE COPY OF THE ORDER OF ASSESSMENT IN THE PROCEEDINGS OF THE COMMERCIAL TAX OFFICER-I, DATED 02/03/2015.
- EXHIBIT-P4:** A TRUE COPY OF THE DEMAND RAISED BY THE COMMERCIAL TAX OFFICER DATED 02/03/2015.
- EXHIBIT-P5:** A TRUE COPY OF THE APPEAL MEMORANDUM FILED BY THE PETITIONER BEFORE THE SECOND RESPONDENT DATED 20/03/2015.
- EXHIBIT-P6:** A TRUE COPY OF THE STAY PETITION FILED BY THE PETITIONER IN EXT.P5 DATED 20.03.2015.
- EXHIBIT-P7:** A TRUE COPY OF THE COMMUNICATION OF THE PETITIONER TO THE DEPUTY DIRECTOR OF EDUCATION, ALAPUZHA DATED 24/03/2015.

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

PA.TO JUDGE.

Msd.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.16671 of 2015

Dated this the 17th day of June, 2015

JUDGMENT

The petitioner, impugning assessment order, filed Ext.P5 appeal along with Ext.P6 stay application before the second respondent.

If Ext.P6 stay application is pending before the second respondent, appropriate decision shall be taken on the same within two months after issuing notice to the petitioner. Till disposal of the stay application, all recovery proceedings based on the assessment order shall be deferred.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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