

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 5TH DAY OF JUNE 2015/15TH JYAISHTA, 1937

WP(C).No. 16766 of 2015 (U)

PETITIONER(S):

**M/S. POWEL AND BARTLETT,
PRP TOWER, LINK ROAD, KAYAMKULAM,
REPRESENTED BY ITS PARTNER, SADATH LEBBA.**

**BY ADVS.SRI.HARISANKAR V. MENON
SMT.MEERA V.MENON**

RESPONDENT(S):

- 1. THE COMMERCIAL TAX OFFICER,
KAYAMKULAM - 690 502.**
- 2. THE DEPUTY COMMISSIONER (APPEALS),
DEPARTMENT OF COMMERCIAL TAXES,
KOLLAM-691 001.**

BY GOVERNMENT PLEADER SMT.SOBHA ANNAMMA EAPEN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 05-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 16766 of 2015 (U)

APPENDIX

PETITIONER(S)' EXHIBITS

P1 - COPY OF ORDER ISSUED BY THE 1ST RESPONDENT DT.02.03.2015.

**P2 - COPY OF APPEAL FILED BY THE PETITIONER BEFORE THE 2ND
RESPONDENT DT.26.03.2015**

P2(A) - COPY OF STAY PETITION FILED BY THE PETITIONER DT. 26.03.2015

P3 - COPY OF ORDER ISSUED BY THE 2ND RESPONDENT DT.11.05.2015

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.16766 of 2015

Dated this the 5th day of June, 2015

J U D G M E N T

The petitioner impugns Ext.P3 order passed by the 2nd respondent in Ext.P2(a) stay application filed along with Ext.P2 appeal. By Ext.P3 order, the appellate authority directed the petitioner to deposit 30% of the amount demanded within three weeks from the date of receipt of that order and also to furnish adequate security for the balance amount.

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

3. The only prayer before this Court is to permit the petitioner to pay the above amount in three equal monthly installments. In that view of the matter, the petitioner is permitted to remit the amount demanded as per Ext.P3 in three equal monthly installments. The first installment shall be effected on or before 15.06.2015. The impugned order is modified accordingly.

This writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.