

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 10TH DAY OF JUNE 2015/20TH JYAISHTA, 1937

WP(C).No. 17342 of 2015 (P)

PETITIONER:

**M/S. HAMARA AGENCIES,
CHUNGASSERI BUILDINGS,
KARUNAGAPPALLY, KOLLAM DISTRICT,
REPRESENTED BY ITS MANAGING PARTNER,
SRI.JALEEL AHAMMED**

**BY ADVS.SRI.JAIRAM.V.MENON
SRI.K.R.RAGHUNATH**

RESPONDENT(S):

- 1. THE COMMERCIAL TAX OFFICER,
KARUNAGAPPALLY, KOLLAM DISTRICT - 690 523.**
- 2. THE DEPUTY COMMISSIONER (APPEALS),
COMMERCIAL TAXES, KOLLAM - 691 001.**
- 3. KERALA VALUE ADDED TAX APPELLATE TRIBUNAL,
THIRUVANANTHAPURAM, REPRESENTED BY ITS
ASSISTANT SECRETARY, PIN - 695001.**
- 4. THE TAHASILDAR, TALUK OFFICE,
KARUNAGAPPALLY, KOLLAM DISTRICT - 692523.**

BY GOVERNMENT PLEADER SMT.SOBHA ANNAMMA EAPEN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 10-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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APPENDIX

PETITIONER(S)' EXHIBITS:

- P1- TRUE COPY OF THE ASSESSMENT ORDER FOR THE YEAR 2010-11 DATED 25.9.2012 PASSED BY THE 1ST RESPONDENT AGAINST THE PETITIONER.
- P2- TRUE COPY OF THE ASSESSMENT ORDER FOR THE YEAR 2011-12 DATED 19.8.2013 PASSED BY THE 1ST RESPONDENT AGAINST THE PETITIONER.
- P3- TRUE COPY OF THE COMMON APPELLATE ORDER PASSED BY THE DEPUTY COMMISSIONER (APPEALS), COMMERCIAL TAXES, KOLLAM.
- P4- TRUE COPY OF THE APPEAL FILED BY THE PETITIONER BEFORE THE 3RD RESPONDENT AGAINST EXHIBIT P3 FOR THE YEAR 2010-11.
- P5- TRUE COPY OF THE APPEAL FILED BY THE PETITIONER BEFORE THE 3RD RESPONDENT AGAINST EXHIBIT P3 FOR THE YEAR 2011-2012.
- P6- TRUE COPY OF THE STAY PETITION FILED BY THE PETITIONER BEFORE THE 3RD RESPONDENT ALONG WITH EXHIBIT P4.
- P7- TRUE COPY OF THE STAY PETITION FILED BY THE PETITIONER BEFORE THE 3RD RESPONDENT ALONG WITH EXHIBIT P5.
- P8- TRUE COPY OF THE COMMUNICATION DATED 7.5.2015 ISSUED BY THE 4TH RESPONDENT TO THE PETITIONER.
- P9- TRUE COPY OF THE REQUEST DATED 21.5.15 WRITTEN BY THE PETITIONER TO THE 4TH RESPONDENT.

RESPONDENTS' EXHIBITS: **NIL.**

//TRUE COPY//

P.S. TO JUDGE

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A.MUHAMED MUSTAQUE, J.

W.P.(C) No.17342 of 2015

Dated this the 10th day of June, 2015

JUDGMENT

The petitioner, impugning Ext.P3 Common Appellate Order passed by the second respondent, filed Exts.P4 and P5 appeals before the third respondent. Along with the appeals, the petitioner also filed Ext.P6 and P7 stay applications.

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

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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