

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 15TH DAY OF JUNE 2015/25TH JYAISHTA, 1937

WP(C).No. 17838 of 2015 (D)

PETITIONER(S) :

**ANNAMMA ABRAHAM,
KANNOTHARA BUILDINGS, KANJIKUZH, KOTTAYAM.**

**BY ADVS.SRI.ANIL D. NAIR
SRI.R.SREEJITH
SMT.ROSIE ATHULYA JOSEPH
SMT.O.A.NURIYA**

RESPONDENT(S) :

- 1. INCOME TAX OFFICER WARD-1,
KOTTAYAM- 686 001.**
- 2. THE COMMISSIONER OF INCOME TAX (APPEALS),
ERNAKULAM- 682 016.**

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

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 15-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

WP(C).No. 17838 of 2015 (D)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: TRUE COPY OF THE ASSESSMENT ORDER DATED 27.03.2015 FOR
THE YEAR 2012-13 ISSUED TO THE PETITIONER BY THE FIRST
RESPONDENT.**

**EXHIBIT P2: TRUE COPY OF APPEAL FILED BY THE PETITIONER BEFORE
THE SECOND RESPONDENT.**

**EXHIBIT P3: TRUE COPY OF THE STAY PETITION FILED BY THE PETITIONER
BEFORE THE SECOND RESPONDENT.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.17838 of 2015

Dated this the 15th day of June, 2015

J U D G M E N T

The petitioner as against the assessment for the year 2012-13 by the 1st respondent under the Income Tax Act appealed before the 2nd respondent vide Ext.P2. The petitioner also moved Ext.P3 application for stay against recovery pursuant to the assessment.

2. Heard the learned counsel for the petitioner as well as the learned Standing Counsel for the respondents.

Considering the facts and circumstances of the case, this writ petition is disposed of directing the 2nd respondent to consider the stay petition, 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 recovery proceedings shall be deferred. The petitioner is directed to produce a copy of this judgment along with a copy of this writ petition before the 2nd respondent for compliance.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.

AV