

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 16TH DAY OF JUNE 2015/26TH JYAISHTA, 1937

WP(C).No. 18002 of 2015 (A)

PETITIONER:

**M/S. AGREENCO FIBRE FOAM PVT LTD,
BOX NO. 3622, BALIAPATTAM, KANNUR,
REPRESENTED BY MANAGING DIRECTOR,
SHRI. P.V. RAGHAVAN**

BY ADV. SRI.DALE P.KURIEN

RESPONDENT(S):

- 1. THE ASSISTANT COMMISSIONER(KVAT)-1,
COMMERCIAL TAXES - SPECIAL CIRCLE,
KANNUR - 670 001.**
- 2. THE DEPUTY COMMISSIONER (APPEALS),
COMMERCIAL TAXES, MINI BYE-PASS,
ERANJAPALAM, KOZHIKODE - 673 014.**
- 3. THE INSPECTING ASSISTANT COMMISSIONER,
COMMERCIAL TAXES, KANNUR - 670 001.**

BY GOVERNMENT PLEADER SMT.SOBHA ANNAMMA EAPEN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 16-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 18002 of 2015 (A)

APPENDIX

PETITIONER(S)' EXHIBITS:

EXT.P1 : TRUE COPY OF THE ASSESSMENT ORDER DATED 13/1/15.
EXT.P2 : TRUE COPY O THE APPEAL MEMORANDUM DATED 26.3.2015.
EXT.P3 : TRUE COPY OF THE STAY PETITION DATED 31.3.2015.
EXT.P4 : TRUE COPY OF THE DEMAND NOTICE DATED 27/5/15.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.18002 of 2015

Dated this the 16th day of June, 2015

J U D G M E N T

The petitioner has filed this writ petition challenging Ext.P1 assessment order for the year 2009-10 passed by the 1st respondent. The petitioner has preferred Ext.P2 appeal and Ext.P3 stay petition against the said order.

2. Heard the learned counsel for the petitioner as well as the learned Government Pleader 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 two 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 Exts.P1 & P4 shall be kept in abeyance.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.

AV