

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 25TH DAY OF JUNE 2015/4TH ASHADHA, 1937

WP(C).No.18830 of 2015 (C)

PETITIONER:

**M/S.CHERIAN VARKEY CONTRUCTION CO. PVT. LTD,
ALPHA PLAZA,K.P VALLON ROAD,KADAVANTHARA P.O
ERNAKULAM-682 020,REPRESENTED BY ITS
DIRECTOR MR.SAJI V.CHERIAN.**

**BY ADVS.SRI.A.KUMAR
SRI.P.J.ANILKUMAR
SMTG.MINI(1748)
SRI.P.S.SREE PRASAD**

RESPONDENT'S:

- 1. THE ASSISTANT COMMISSIONER,
WORKS CONTRACT AND LUXURY TAXES,
DEPARTMENT OF COMMERCIAL TAXES,
ERNAKULAM-682 016.**
- 2. INSPECTING ASSISTANT COMMISSIONER,
COMMERCIAL TAXES,KAKKANAD,ERNAKULAM-682 030.**

BY GOVT. PLEADER SMT.SOBHA ANNAMMA EAPEN.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 25-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

pk

WP(C).No.18830 of 2015 (C)

APPENDIX

PETITIONER'S EXHIBITS:

EXHIBIT P1:TRUE COPY OF THE REPLY DATED 5.3.15.

EXHIBIT P2:TRUE COPY OF THE ASSESSMENT ORDER DATED 31.3.15.

**EXHIBIT P3:TRUE COPY OF THE APPLICATION FOR RECTIFICATION
DATED 28.4.15.**

EXHIBIT P4:TRUE COPY OF THE REVENUE RECOVERY NOTICE DATED 1.6.15.

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S TO JUDGE

pk

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.18830 of 2015

Dated this the 25th day of June, 2015

J U D G M E N T

The petitioner is a private limited company engaged in the execution of works contract. They filed Ext.P3 rectification application in respect of Ext.P2 assessment order dated 31.03.2015 before the 1st respondent and the same is pending consideration.

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 1st respondent to consider Ext.P3 after notice to the petitioner within a period of one month. Till the disposal of the rectification proceedings, all coercive proceedings based on or pursuant to Ext.P2 assessment shall be deferred.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.

AV