

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 29TH DAY OF JUNE 2015/8TH ASHADHA, 1937

WP(C).No. 19548 of 2015 (P)

PETITIONER :

**JOISE JOHN, AGED 39 YEARS
S/O.JOHN THOMAS
PROPRIETOR, M/S.MANDAPATHIL FURNITURE & INTERIORS
MANJOOR P.O., KURUPPANTHARA, KOTTAYAM.**

BY ADV. SRI.C.K.SREEJITH

RESPONDENT(S) :

- 1. COMMERCIAL TAX OFFICER
ETTUMANOOR, KOTTAYAM – 686 631.**
- 2. THE DEPUTY COMMISSIONER (APPEALS)
COMMERCIAL TAXES DEPARTMENT, KOTTAYAM - 686 001.**
- 3. DEPUTY TAHSILDAR,
REVENUE RECOVERY, VAIKOM, KOTTAYAM - 686 141.**
- 4. STATE OF KERALA -
REPRESENTED BY SECRETARY TO GOVERNMENT
TAXES DEPARTMENT, GOVT. SECRETARIAT
TRIVANDRUM - 695 001.**

R1 TO R4 BY SR. GOVT. PLEADER SMT. SHOBA ANNAMMA EAPEN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 29-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

WP(C).No. 19548 of 2015 (P)

APPENDIX

PETITIONERS' EXHIBITS :

- EXT. P1- THE TRUE COPY OF THE ASSESSMENT ORDER NO.CR-3564/2010-2011,
CR-355/2010-11 DTD. 5/5/2015.**
- EXT. P2- THE TRUE COPY OF THE DEMAND NOTICE IN FORM NO.12 IN
NO.CR-3564/2010-11, CR-355/2010-11 DTD. 7/5/2015.**
- EXT. P3- THE TRUE COPY OF THE APPEAL MEMORANDUM IN FORM NO.29
DATED 23.6.2015.**
- EXT. P4- THE TRUE COPY OF GROUNDS OF APPEAL IN EXT P3 FILED BEFORE
THE 2ND RESPONDENT.**
- EXT. P5- THE TRUE COPY OF THE DELAY CONDONATION PETITION IN FORM
NO.30 DATED 23.6.2015 BEFORE THE 2ND RESPONDENT.**
- EXT. P6- THE TRUE COPY OF URGENT PETITION IN FORM NO.30 DATED
23.6.2015.**
- EXT. P7- TRUE COPY OF STAY PETITION DATED 23.6.2015 BEFORE THE 2ND
RESPONDENT.**
- EXT. P8- THE TRUE COPY OF THE RR DEMAND NOTICE IN NO.G2-2015/560/5/500
DATED 10.6.2015.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

Mn

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.19548 of 2015

Dated this the 29th day of June, 2015

JUDGMENT

The petitioner, impugning Ext.P1 Assessment Order, filed Ext.P3 appeal before the second respondent along with Ext.P7 stay application. The petitioner also filed Ext.P5 delay condonation petition.

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

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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