

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 1ST DAY OF JULY 2015/10TH ASHADHA, 1937

WP(C).No. 19785 of 2015 (W)

PETITIONER(S):

**SHRI.C.J.AUGUSTY,
CONTRACTOR, CHELLANTHARA HOUSE, MANNANCHERRY,
KOTTIYUR, KANNUR.**

**BY ADVS.SRI.T.M.SREEDHARAN (SR.)
SRI.V.P.NARAYANAN
SMT.DIVYA RAVINDRAN**

RESPONDENT(S):

- 1. THE COMMERCIAL TAX OFFICER-1 (WORKS CONTRACT),
COMMERCIAL TAXES, 670 001, KANNUR.**
- 2. THE DEPUTY COMMISSIONER (APPEALS),
APPELLATE ASSISTANT COMMISSIONER,
DEPARTMENT OF COMMERCIAL TAXES, NIRMAL ARCADE,
ERNAHIPALAM KOZHIKODE-670 006.**
- 3. THE DEPUTY TAHSILDAR ,
REVENUE RECOVERY, TALUK OFFICE, IRITTY,
KANNUR DISTRICT - 670 024.**

BY SENIOR GOVERNMENT PLEADER SMT.SOBHA ANNAMMA EAPEN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
01-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 19785 of 2015 (W)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P1: TRUE COPY OF THE ASSESSMENT ORDER DATED 21/7/14 ISSUED BY THE
1ST RESPONDENT ALONG WITH DEMAND NOTICE FOR AY-2011-12.**

**EXT.P2: TRUE COPY OF THE ASSESSMENT ORDER DATED 22/7/2014 ISSUED BY THE
1ST RESPONDENT ALONG WITH DEMAND NOTICE FOR AY-2012-13.**

**EXT.P3: TRUE COPY OF THE MEMORANDUM OF APPEAL DATED 19/8/2014 FILED BY
THE PETITIONER FOR AY-2011-12 BEFORE THE 2ND RESPONDENT.**

**EXT.P3(A): TRUE COPY OF THE STAY PETITION DATED 19/8/2014 FILED BY THE
PETITIONER FOR AY-2011-12 BEFORE THE 2ND RESPONDENT.**

**EXT.P4: TRUE COPY OF THE MEMORANDUM OF APPEAL DATED 19/8/2014 FILED BY
THE PETITIONER FOR AY-2011-13 BEFORE THE 2ND RESPONDENT.**

**EXT.P4(A): TRUE COPY OF THE STAY PETITION DATED 19/8/2014 FILED BY THE
PETITIONER FOR AY-2011-13 BEFORE THE 2ND RESPONDENT.**

**EXT.P5: TRUE COPY OF THE NOTICES DATED 15/6/2015 IN FORM NO.1&10 ISSUED
BY THE 3RD RESPONDENT FOR AY-2012-13.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.MUHAMED MUSTAQUE, J.

WP.(C) No.19785 of 2015

Dated this the 1st day of July, 2015

JUDGMENT

The petitioner, impugning Exts.P1 and P2 Assessment Orders, filed Exts.P3 and P4 appeals before the second respondent. The petitioner also filed Ext.P3(a) and P4(a) stay applications.

2. Considering the facts and circumstances, there shall be a direction to the second 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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