

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN
&
THE HONOURABLE MR.JUSTICE K.HARILAL

TUESDAY, THE 24TH DAY OF MARCH 2015/3RD CHAITHRA, 1937

WP(C) .No. 21480 of 2014 (H)

PETITIONER(S) :

SREE BALAJI STORES,
MARKET ROAD
CHANGANACHERRY (REPRESENTED BY THE
PROPRIETOR JAYAPRAKASH.P)

BY ADVS.SRI.K.N.SREEKUMARAN
SRI.P.D.UNNIKANNAN NAIR

RESPONDENT(S) :

1. COMMERCIAL TAX OFFICER,
1ST CIRCLE, CHANGANACHERRY-686 601.
2. INTELLIGENCE OFFICER (IB) ,
COMMERCIAL TAXES, KOTTAYAM-686 001.
3. DEPUTY COMMISSIONER (APPEALS) ,
COMMERCIAL TAXES, SASTHRI ROAD,
KOTTAYAM-686 001.
4. DEPUTY COMMISSIONER,
COMMERCIAL TAXES, CIVIL STATION,
KOTTAYAM.
5. INSPECTING ASSISTANT COMMISSIONER,
COMMERCIAL TAXES, KOTTAYAM-686 001.
6. STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVERNMENT
TAXES DEPARTMENT, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM-695001.

BY SRI.LIJU V.STEPEHEN, SR.GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 24-03-2015, ALONG WITH WPC. 24005/2014 AND WPC. 24876/2014,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) .No. 21480 of 2014 (H)

APPENDIX

PETITIONER(S) ' EXHIBITS

P1: COPIES OF THE PENALTY ORDERS BEARING NO.CR 8/14-15, 9/14-15 & 10/14-15 DATED 28.4.2014 FOR 07-08, 08-09 & 09-10 ISSUED BY THE 2ND RESPONDENT.

P2: COPIES OF THE APPEALS AND APPLICATIONS FILED AGAINST EXT.P1 BEFORE THE 3RD RESPONDENT ON 16.5.2014 SUBSEQUENTLY TRANSFERRED TO THE 4TH RESPONDENT.

P3: COPIES OF THE ASSESSMENT ORDERS BEARING NO.32050771885/10-11, 11-12 & 12-13 DATED 31.5.2014 ISSUED BY THE 1ST RESPONDENT.

P4: COPIES OF THE APPEALS AND APPLICATIONS FILED AGAINST EXT.P3 BEFORE THE 3RD RESPONDENT ON 20.6.2014.

P5: COPIES OF THE DEMAND NOTICES IN FORM I BEARING NOS.A5-1182/14-15 IN RRC 168 FOR 2007-08, RRC 169 FOR 2008-09, RRC 170 FOR 2009-10, RRC 174 FOR 2010-11, RRC 175 FOR 2011-12 & RRC 176 FOR 2012-13 DATED 12.8.2014 ISSUED BY THE 5TH RESPONDENT.

P6: COPY OF THE JUDGMENT DATED 31.7.2014 OF THIS HON'BLE COURT IN WPC 18845/2014.

P7: EXTRACTS OF THE MONTHLY RETURNS FOR APRIL, MAY & JUNE 2014 ALONG WITH SAMPLE COPIES OF THE INVOICES ISSUED BY PETITIONER.

RESPONDENT(S) ' EXHIBITS

NIL

//TRUE COPY//

PA TO JUDGE.

THOTTATHIL B.RADHAKRISHNAN &
K.HARILAL, JJ.

.....
WP(C) Nos.21480, 24005 & 24876 of 2014
.....

Dated this the 24th day of March, 2015.

J U D G M E N T

Thottathil B.Radhakrishnan, J.

These writ petitions are before the Division Bench in view of the fact that reliefs sought for by the writ petitioners in these cases were dependent on an interim order passed in W.A.No.577 of 2014 which related to an allegation of misclassification of margarine. That writ appeal, W.A.No.577 of 2014, stands dismissed. In that view of the matter, nothing survives in these writ petitions and they have only to be closed without prejudice to the petitioners prosecuting their cases, if any, pending before the Tribunal or other appellate authorities. Any application for stay at that end would also be considered, without fail. Subject to that, these writ petitions are dismissed.

(THOTTATHIL B.RADHAKRISHNAN, JUDGE)

(K.HARILAL, JUDGE)