

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 21ST DAY OF JULY 2015/30TH ASHADHA, 1937

WP(C).No. 21826 of 2015 (C)

PETITIONER :

**MANKADA SERVICE CO-OPERATIVE BANK LTD.,
MANKADA, PERINTHALMANNA, MALAPPURAM DISTRICT
PIN - 679324, REPRESENTED BY ITS SECRETARY.**

**BY SENIOR ADVOCATE SRI.K.ANAND
BY ADVS.SMT.LATHA KRISHNAN
SRI.M.N.RADHAKRISHNA MENON
SRI.JOSEPH SEBASTIAN (PARACKAL)**

RESPONDENT(S) :

- 1. INCOME TAX OFFICER
WARD 4, OFFICE OF THE INCOME TAX OFFICER, TARIFF BAZAR
TOWN HALL ROAD, TIRUR-676 101.**
- 2. THE COMMISSIONER OF INCOME TAX (APPEALS)
KOZHIKODE.**

R1 & R2 BY ADV. SRI.K.M.V.PANDALAI, SC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 21-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 21826 of 2015 (C)

APPENDIX

PETITIONERS' EXHIBITS :

EXHIBIT-P1: TRUE COPY OF THE ASSESSMENT ORDER DATED 2.3.2015.

**EXHIBIT-P2: TRUE COPY OF PENALTY NOTICE UNDER SECTION 271B DATED
2.03.2015 ISSUED BY THE 1ST RESPONDENT.**

**EXHIBIT-P3: TRUE COPY OF PENALTY NOTICE UNDER SECTION 271F DATED
2.03.2015 ISSUED BY THE 1ST RESPONDENT.**

**EXHIBIT-P4: TRUE COPY OF APPEAL FILED BY THE PETITIONER BEFORE THE 2ND
RESPONDENT.**

EXHIBIT-P5: TRUE COPY OF STAY PETITION.

EXHIBIT-P6: TRUE COPY OF PROCEEDINGS DATED 2.3.2015.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A. MUHAMED MUSTAQUE, J.

W.P(C). No. 21826 of 2015

Dated this the 21st day of July, 2015

J U D G M E N T

The petitioner has filed this writ petition challenging Ext.P1 assessment order for the year 2012-13 passed by the 1st respondent. The petitioner has preferred Ext.P4 appeal along with Ext.P5 petition for stay against the said order.

2. Heard the learned counsel for the petitioner as well as the learned Government Pleader for the respondents.

3. Considering the facts and circumstances of the case, this writ petition is disposed of directing the 2nd respondent to consider Ext.P5 after issuing notice to the petitioner, within a period of three 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 shall be kept in abeyance.

Petitioner shall produce a copy of this judgment along with a copy of this writ petition before the 2nd respondent for further steps.

Sd/-
A. MUHAMED MUSTAQUE, JUDGE.