

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 27TH DAY OF JULY 2015/5TH SRAVANA, 1937

WP(C).No. 22549 of 2015 (P)

PETITIONER :

**THE THACHINGANALAM SERVICE CO-OPERATIVE
BANK LIMITED NO.10152,
THACHINGANADAM P.O, PATTIKKAD (VIA),
MALAPPURAM DISTRICT. PIN- 679 325
REPRESENTED BY ITS SECRETARY.**

BY ADV. SRI.O.D.SIVADAS

RESPONDENT(S):

- 1. THE COMMISSIONER OF INCOME TAX (APPEALS),
AYAKAR BHAVAN, KOZHIKODE -673 001.**
- 2. THE INCOME TAX OFFICER, WARD (4), TIRUR, PIN- 676 101.**

R1 & R2 BY SRI.K.M.V.PANDALAI, INCOME TAX DEPARTMENT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 22549 of 2015 (P)

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1. COPY OF THE ASSESSMENT ORDER DATED 7.3.15 ISSUED BY THE 2ND RESPONDENT.**
- EXHIBIT P2. COPY OF THE APPEAL DATED 30.3.15 FILED BEFORE THE 1ST RESPONDENT.**
- EXHIBIT P3. COPY OF THE STAY PETITION DATED 8.4.15 FILED BEFORE THE 1ST RESPONDENT.**
- EXHIBIT P4. COPY OF THE STAY ORDER DATED 23.8.14 ISSUED BY THIS HON'BLE COURT IN IA.NO. 2573 OF 14 IN ITA.NO. 198 OF 14.**

RESPONDENT(S)' EXHIBITS: **NIL**

/TRUE COPY/

P.A.TO JUDGE

sts

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.22549 of 2015

Dated this the 27th day of July, 2015

JUDGMENT

The petitioner, impugning Ext.P1 Assessment Order, filed Ext.P2 appeal before the first respondent. The petitioner also filed Ext.P3 stay application.

2. Considering the facts and circumstances, there shall be a direction to the first respondent to consider the stay application within a period of three months after issuing notice to the petitioner. Till the disposal of the stay application, all recovery proceedings based on the Assessment Order shall be kept in abeyance. The petitioner shall produce a copy of this judgment before the Appellate Authority.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

ln