

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

MONDAY, THE 7TH DAY OF SEPTEMBER 2015/16TH BHADRA, 1937

WP(C).No. 22738 of 2015 (N)

PETITIONER(S):

**M/S.OMEGA ELEVATORS,
KURIAN TOWERS, 3RD FLOOR, OPP. SARITHA THEATRE,
BANERJI ROAD, COCHIN-682 015,
REPRESENTED BY IT BRANCH MANAGER, MR.RAGHU RAGHAVAN.**

BY ADV. SMT.K.LATHA

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY CHIEF SECRETARY, SECRETARIAT,
THIRUVANANTHPAURAM-695 001.**
- 2. THE ASSISTANT COMMISSIONER - 2,
(WORKS CONTRACT), OFFICE OF THE DEPUTY COMMISSIONER,
COMMERCIAL TAXES, ERNAKULAM-682 018.**
- 3. THE DEPUTY COMMISSIONER,
(APPEALS)-II, COMMERCIAL TAXES, ERNAKULAM-682 018.**

BY GOVERNMENT PLEADER SRI.LIJU V.STEPHEN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1. TRUE COPY OF THE FIRST APPELLATE ORDER IN STA NO.495/2011 FOR THE YEAR 2003-2004 AND STA NO.496/2011 (FOR THE YEAR 2004-2005) ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER DATED 15/5/2014.**
- EXT.P2. TRUE COPY OF THE FIRST APPELLATE ORDER IN STA NO.2685/2011 FOR THE YEAR 2005-2006 STA 2686/2011 (FOR THE YEAR 2006-2007) STA NO.2687/2011 (FOR THE YEAR 2007-2008) AND STA NO.3397/2011 (FOR THE YEAR 2009-2010) ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER DATED 15/5/2014.**
- EXT.P3. TRUE COPY OF THE FIRST APPELLATE ORDER IN KVATA 1268/2010 FOR THE MONTH OF 4/2009 TO 6/2009 DATED 12/1/2015 ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER .**
- EXT.P4. TRUE COPY OF THE FIRST APPELLATE ORDER IN KVATA 1368/2010 (FOR THE YEAR 2010-2011) AND KVATA 3306/2013 (FOR THE YEAR 2011-12) ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER DATED 20/1/2015.**
- EXT.P5. TRUE COPY OF THE LETTER FILED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DATED 12/12/2014.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY

P.S. TO JUDGE

PJ

A.K.JAYASANKARAN NAMBIAR, J.
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Dated this the 7th day of September, 2015

JUDGMENT

The petitioner is aggrieved by the non passing of consequential orders by the 2nd respondent, pursuant to appellate orders passed in favour of the petitioner. When the matter came up for admission, I had directed the learned Government Pleader to ascertain as to what time would be required by the respondent for passing consequential orders pursuant to the appellate orders. When the matter was called today, it is submitted by the learned Government Pleader on instructions that the 2nd respondent would be in a position to pass consequential orders, pursuant to the appellate orders indicated in the writ petition, within a period of one month from today.

2. Taking note of the said submission, I dispose the writ petition with a direction to the 2nd respondent to pass consequential orders pursuant to Exts.P1 to P4 appellate orders, within a period of one month from the date of receipt of a copy of this judgment. I make it clear that I have not considered the other issues raised in the writ petition and the petitioner is free to raise those issues, if

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they subsist even after the consequential orders are passed, as directed above.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

das