

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 29TH DAY OF JULY 2015/7TH SRAVANA, 1937

WP(C).No. 22824 of 2015 (C)

PETITIONER:

**EDAPATTA SERVICE COOPERATIVE BANK LTD.,
EDAPATTA, PERINTHALMANNA,
MALAPPURAM DISTRICT - 679 326,
REPRESENTED BY ITS SECRETARY.**

**BY SRI.K.ANAND (SENIOR ADVOCATE)
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 HILL ROAD, TIRUR - 676 101.**
- 2. THE COMMISSIONER OF INCOME TAX (APPEALS)
KOZHIKODE - 673 020.**

BY SRI.K.M.V.PANDALAI, SC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 29-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXHIBIT P1. TRUE COPY OF THE ASSESSMENT ORDER DATED 2.3.15.
- EXHIBIT P2. TRUE COPY OF THE PENALTY NOTICE UNDER SEC.271B
DATED 2.3.15.
- EXHIBIT P3. TRUE COPY OF THE PENALTY NOTICE UNDER SEC.271F DATED 2.3.15.
- EXHIBIT P4. TRUE COPY OF THE APPEAL FILED BY THE PETITIONER BEFORE THE
2ND RESPONDENT.
- EXHIBIT P5. TRUE COPY OF THE STAY PETITION.
- EXHIBIT P6. TRUE COPY OF THE PROCEEDINGS DATED 2.3.15.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

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A.MUHAMED MUSTAQUE, J.

W.P.(C) No.22824 of 2015

Dated this the 29th day of July, 2015

JUDGMENT

The petitioner, impugning Ext.P1 assessment order, filed Ext.P4 appeal before the second respondent. The petitioner also filed Ext.P5 stay application.

2. Considering the facts and circumstances, there shall be a direction to the second 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 is directed to produce a copy of this judgment before the second respondent for compliance.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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