

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 7TH DAY OF AUGUST 2015/16TH SRAVANA, 1937

WP(C).No. 23974 of 2015 (V)

PETITIONER(S) :

1. ORMA TIMBERS

VP. VII/157A, THANKY JUNCTION, N.H.ROAD

KALAVANCODAM P.O., CHERTHALA, PIN - 688 586

**REPRESENTED BY ITS MANAGING PARTNER LAJI JOSEPH
ALAPPUZHA DISTRICT.**

BY ADVS.SRI.SHAJI CHIRAYATH

SMT.JIJI M. VARKEY

SMT.SAVITHA GANAPATHIYATAN

SRI.M.M.SHAJAHAN

RESPONDENT(S) :

1. STATE OF KERALA

**REPRESENTED BY SECRETARY TO GOVERNMENT
TAXES DEPARTMENT, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM, PIN – 695 001.**

2. DEPUTY COMMISSIONER (APPEALS)

**TAX COMPLEX, ASRAMOM P.O., CHINNAKKADA
KOLLAM DISTRICT, PIN - 691 002.**

3. COMMERCIAL TAX OFFICER -II,

**OFFICE OF THE COMMERCIAL TAX
CHERTHALA (PO), ALAPPUZHA DISTRICT,
PIN - 688 524.**

4. DEPUTY TAHSILDAR (REVENUE RECOVERY)

**TALUK OFFICE, CHERTHALA (PO), ALAPPUZHA DISTRICT
PIN - 688 524.**

R1 TO R4 BY SR. GOVT. PLEADER SMT. SHOBA ANNAMMA EAPEN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

APPENDIX

PETITIONERS' EXHIBITS :

- EXT. P1- COPY OF THE ASSESSMENT ORDER FOR THE MONTH OF
AUGUST 2014 ISSUED BY THE 3RD RESPONDENT.
- EXT. P2- COPY OF THE APPEAL AGAINST EXHIBIT P1 ORDER.
- EXT. P3- COPY OF THE STAY PETITION FILED ALONG WITH EXHIBIT P2 APPEAL.
- EXT. P4- COPY OF THE DELAY CONDONATION PETITION FILED ALONG WITH
EXHIBIT P2 APPEAL.
- EXT. P5- COPY OF THE NOTICE UNDER SECTION 7 OF REVENUE RECOVERY
ACT ISSUED BY THE 4TH RESPONDENT.
- EXT. P6- COPY OF THE NOTICE UNDER SECTION 34 OF REVENUE RECOVERY
ACT ISSUED BY THE 4TH RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 23974 of 2015

Dated this the 07th day of August, 2015

JUDGMENT

The petitioner, impugning assessment order for the year 2013-14, has filed an appeal as per Ext.P1. The petitioner also filed an application for condonation of delay and an application for stay along with the appeal.

2. In view of the above, the following directions are issued :

- i) The delay application shall be disposed within a period of one month.
- ii) If delay is condoned, the stay application shall be disposed of after issuing notice to the petitioner, within a further period of one month.
- iii) Till the disposal of the delay application and the stay application, revenue recovery proceedings shall be deferred.

The writ petition is disposed of as above.

Sd/-

A. MUHAMED MUSTAQUE, JUDGE