

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 17TH DAY OF AUGUST 2015/26TH SRAVANA, 1937

WP(C).No. 24502 of 2015 (K)

PETITIONER(S):

**C.I.JEEVAN,
MANAGING PARTNER,
JAJ EQUIPMENT INDUSTRIES, OLLUR,
THRISSUR.**

BY ADV. SRI.K.A.SREEJITH

RESPONDENT(S):

**DEPUTY COMMISSIONER (APPEALS)
COMMERCIAL TAXES,
ERNAKULAM 682 013.**

BY GOVERNMENT PLEADER SMT.SOBHA ANNAMMA EAPEN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 17-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 24502 of 2015 (K)

APPENDIX

PETITIONER(S)' EXHIBITS

**P1- THE TRUE COPY OF INTERIM ORDER OF RESPONDENT IN APPEAL
NO.1502/2015**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.24502 of 2015

Dated this the 17th day of August, 2015

JUDGMENT

The petitioner, challenging a conditional order in the stay application filed in an appeal, has approached this Court.

2. The main contention of the petitioner is that the impugned order is not a speaking order and the condition imposed is too onerous.

3. I have gone through the impugned order.

4. I am of the view that the Appellate Authority has given reasons for supporting the conditional order. In that view of the matter, there is no infirmity with the order and the sustainability of the petitioner's contention can be decided only at the final hearing.

However, taking note of the nature of the contentions, the conditional order is modified on payment of Rs.1,20,000/- in two instalments. The first instalment shall be paid on or before 24.8.2015 and the second instalment shall be paid on or before 24.9.2015. The petitioner shall abide by all other conditions.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE