

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 18TH DAY OF AUGUST 2015/27TH SRAVANA, 1937

WP(C).No. 25031 of 2015 (D)

PETITIONER:

**M/S. FCI OEN CONNECTORS LTD.,
XXIX/2089, THRI PUNITHURA ROAD, THYKODAM,
ERNAKULAM, REPRESENTED BY ITS DIRECTOR.**

**BY ADVS. SRI.ANIL D. NAIR,
SRI.R.SREEJITH,
SMT.ROSIE ATHULYA JOSEPH,
SMT.O.A.NURIYA,
KUM.SOUMYA PRAKASH,
KUM.MEKHALA M.BENNY.**

RESPONDENTS:

- 1. ENQUIRY OFFICER,
OFFICE OF THE DEPUTY COMMISSIONER (INT.),
COMMERCIAL TAXES, ERNAKULAM- 682 030.**
- 2. THE DEPUTY COMMISSIONER (APPEALS),
ERNAKULAM- 682 030.**
- 3. THE STATE OF KERALA,
REP BY ITS SECRETARY (TAXES), SECRETARIAT,
THIRUVANANTHAPURAM-695 001.**

BY SR. GOVT. PLEADER SMT.SOBHA ANNAMMA EAPEN.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 18-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 25031 of 2015 (D)

APPENDIX

PETITIONER'S EXHIBITS:-

- P1:- TRUE COPY OF THE PENALTY ORDER NO E.O/O.R.951/2015-16(2014-15),
DATED 16/07/2015 ISSUED TO THE PETITIONER BY THE FIRST RESPONDENT.**
- P2:- TRUE COPY OF THE APPEAL FILED BY THE PETITIONER BEFORE THE
2ND RESPONDENT.**
- P3:- TRUE COPY OF THE STAY PETITION FILED BY THE PETITIONER BEFORE
THE 2ND RESPONDENT.**

RESPONDENT'S EXHIBITS:- **NIL.**

//TRUE COPY//

P.A. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.25031 of 2015

Dated this the 18th day of August, 2015

JUDGMENT

The petitioner, impugning Ext.P1 penalty order, filed Ext.P2 appeal before the second respondent. The petitioner also filed Ext.P3 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 two months after issuing notice to the petitioner. Till the disposal of the stay application, all recovery proceedings based on the penalty order shall be kept in abeyance.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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