IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 30TH DAY OF OCTOBER 2015/8TH KARTHIKA, 1937

WP(C).No. 33015 of 2015 (B)

PETITIONER(S):

P.SUJABU AGED 40 YEARS

BY ADVS.SRI.T.G.MADHAVANUNNI
SRI.C.S.ARUN SHANKAR
SMT.REVATHY P.NAIR

RESPONDENT(S):

THE COMMISSIONER OF COMMERCIAL TAXES

R BY GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K.JAYASANKARAN NAMBIAR, J.

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W.P.(C). No. 33015 of 2015

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Dated this the 30th day of October, 2015

JUDGMENT

Against Ext.P1 penalty order under the Kerala Value Added Tax Act, the petitioner has preferred Ext.P2 revision petition and Ext.P3 stay petition before the 3rd respondent. Ext.P4 is the revenue recovery notice. It is submitted by counsel for the petitioner that 30% of the amounts confirmed against the petitioner by Ext.P1 order has already been paid to the department.

2. I have heard the learned counsel for the petitioner and the learned Government Pleader for the respondents.

3. On a consideration of the facts and circumstances of the case and the submissions made across the bar and taking into account the fact that the petitioner has now paid 30% of the amounts confirmed against him by Ext.P1 order, there will be a direction to the 3rd respondent to consider and pass orders on Ext.P2 revision petition within two months from the date of receipt of the copy of the judgment after hearing the petitioner.

It is made clear that, coercive steps for recovery of amounts confirmed against the petitioner by Ext.P1 order shall be kept in abeyance till such time as orders are passed as directed and communicated to the petitioner .

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

das /30.10.15