

THE HON'BLE SRI JUSTICE G. CHANDRAIAH

AND

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION Nos.23813 and 23855 of 2015

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COMMON ORDER: (per Hon'ble Sri Justice Challa Kodanda Ram)

When the matters came up for admission on 03.08.2015, notice before admission was ordered. Thereafter, the matters underwent two adjournments. Today, learned Government Pleader, on instructions from the department officials, confirms the factum of the petitioner having raised the specific ground and also having placed before the authorities the order of Sales Tax Appellate Tribunal in T.A.No.311 of 2010, dated 18.04.2013 in the case of M/s DLF LAING 'O' ROURKE INDIA LIMITED. Learned Government Pleader submits that he has instructions that if the matters are remanded, the issues raised by the petitioner will be considered, in accordance with law.

2. Recording the submission of the learned Government Pleader, in the peculiar facts of this case, we set aside the order dated 18.05.2015 passed by the 3rd respondent, giving liberty to the authorities to make appropriate orders after considering the objections that are raised by the petitioner and affording an opportunity of personal hearing, if the petitioner desires to have personal hearing. However, considering the

fact that we are setting aside the order of the 3rd respondent/appellate deputy commissioner which, in normal circumstances, is appealable, we deem it appropriate to direct the 3rd respondent to complete the entire exercise of passing the orders within a period of eight weeks from the date of receipt of a copy of this order.

3. The writ petitions are, accordingly, disposed of. No costs. Miscellaneous petitions, if any pending, shall stand closed.

G. CHANDRAIAH, J

CHALLA KODANDA RAM, J

01st September, 2015

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