

HON'BLE SRI JUSTICE R. KANTHA RAO

W.P.No.10283 of 2015

ORDER

Heard learned counsel appearing for the petitioner and learned Standing Counsel for APSRTC appearing for respondents 1 to 3.

This Writ Petition is filed seeking to declare the action of the respondents in not making reimbursement of one percent VAT paid by the petitioner on hire charges as arbitrary and illegal.

Petitioner is the owner of bus bearing No.AP 07 Y 5155 and the same was hired with the respondent-Corporation on payment of hire charges from 2008 to 2012. While so, the respondent-Corporation issued Circular dated 19.07.2008 stating that as per the provisions of Section 4 (8) of AP VAT Act, 2005, it has decided to reimburse the VAT paid by the owners of hire buses to the Commercial Tax Department on the hire charges received by them. The petitioner made several representations for reimbursement of one percent VAT, the respondent-Corporation *vide* letter dated 12.12.2014 informed that the petitioner is not eligible for reimbursement of one percent VAT as the bus was not on rolls.

Learned counsel appearing for the petitioner submits that though the petitioner is eligible for reimbursement of one percent VAT on par with other vehicle owners, who approached the Court and obtained interim direction, the respondent-Corporation has not considered his case and not disposed of the representation made by him on 27.01.2015.

Having regard to the facts and circumstances of the case,

the Writ Petition is disposed of directing the respondents to consider and dispose of the representation dated 27.01.2015 made by the petitioner within a period of eight weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE R. KANTHA RAO

10th April, 2015

rkk

