

**THE HON'BLE SRI JUSTICE R. SUBHASH REDDY
AND
THE HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO**

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WRIT PETITION No.6005 OF 2015
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ORDER: (Per Hon'ble Sri Justice R. Subhash Reddy)

This Writ Petition is filed with the prayer, which reads as under:

“...to issue Writ of Mandamus or any other appropriate writ or order or direction declaring the action of the 2nd respondent in passing the proceedings, dated 03.02.2015 for the period 2010-11 to 2014-15 (upto 31.05.2014) under A.P. VAT Act, as arbitrary, contrary to law, without jurisdiction and also in violation of principles of natural justice and rule of law and barred by limitation for the part period of 2010-11 and consequently set aside the assessment proceedings of the 2nd respondent, dated 03.02.2015 as null and void and declare that the action of the 2nd respondent in levying tax on exempted goods of Husk as per Item 41 of the I Schedule of the Act is not valid and pass such other order or orders as the Hon'ble Court may deem fit and proper in the circumstance of the case.”

When the matter is called, it is submitted by the learned counsel for parties that the subject matter of this Writ Petition is squarely covered by the judgment of this Court in W.P.No.17972 of 2008 and batch, dated 04.03.2015.

As the subject matter of this Writ Petition is squarely covered by the aforesaid judgment, dated 04.03.2015, this Writ Petition is also disposed of setting aside the impugned order, dated 03.02.2015, and remitting the matter for fresh consideration in the light of the observations made by this Court in the order, dated 04.03.2015, after giving an opportunity of being heard to the petitioner.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. No costs.

R. SUBHASH

REDDY, J

Dr. B. SIVA SANKARA

RAO, J

March 10, 2015

MD