

THE HON'BLE SRI JUSTICE R. SUBHASH REDDY

AND

THE HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

WRIT PETITION No.12083 OF 2015

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ORDER: (Per Hon'ble Sri Justice R. Subhash Reddy)

This Writ Petition is filed seeking to declare the action of respondent No.2 in seizing the vehicle bearing No.AP 04 V 9015 along with stock of 16,915 Kgs. of Green Moong Beans at Kurnool on 12.04.2015, as illegal and arbitrary.

It is the allegation of the respondents that the transport undertaken by the petitioners is in violation of the provisions of Andhra Pradesh Value Added Tax Act, 2005, and the Rules made thereunder.

This Court, by order, dated 23.04.2015, directed to release the stocks on payment of Rs.60,480/- and also to release the vehicle on furnishing an undertaking to the effect that the petitioners will not alienate or transfer the same till the enquiry or proceedings are completed.

When the matter is called, it is submitted that the stocks were released on payment of tax of Rs.60,480/- and the vehicle was also released in view of the undertaking furnished by the petitioners. It is further submitted that proceedings were initiated by issuing show-cause notice, dated 15.04.2015, and the petitioners have already submitted reply to such notice.

In that view of the matter, we deem it appropriate to dispose of the Writ Petition directing the respondents to consider the reply filed

by the petitioners and pass appropriate orders on merits. The tax paid by the petitioners shall be subject to the orders to be passed by the assessing authority.

Subject to the above, the Writ Petition is disposed of. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. No costs.

R. SUBHASH REDDY, J

Dr. B. SIVA SANKARA RAO, J

April 28, 2015

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