

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.17168 OF 2004
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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 an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus holding circular instructions of the 1st respondent issued in CCT's Ref.No.AI(1)412/2004, dated 27.05.2004 as ultravires and contrary to Section 5(3) read with proviso to Section 6(1) of the Central Sales Tax Act and the judgment of the Hon'ble Supreme Court reported in the case of Baktavarlal Kailaschand's case reported in 87 STC 217 and hence, it is illegal, void and inoperative and accordingly set aside the same, and pass such other order or orders as this 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 when the same circular which is under challenge is questioned in W.P.No.16973 of 2004, this Court disposed of the said writ petition by order dated 09.04.2007 directing the authorities/ revisional authorities to decide the issue which fell for consideration, independently, uninfluenced by the instructions issued in the circular dated 27.05.2004.

Following the order passed in W.P.No.16973 of 2004, this Writ Petition is also disposed of in terms of the directions issued in the order dated 09.04.2007.

Consequently, 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 24, 2015

Vvr

Note: Annex a copy of order

dated 09.04.2007 in

W.P.No.16973 of 2004.