

**HONOURABLE SRI JUSTICE G.CHANDRAIAH
AND
HONOURABLE SRI JUSTICE CHALLA KODANDA RAM**

WRIT PETITION No. 14184 OF 2015

DATED 22TH JUNE, 2015

BETWEEN

M/s. Poshak Oils and Fats Ltd.,
17/9, Basapuram Road, Adoni, Kurnool Dist,
Rep. by its Authorized CEO Sri T.G.Srikanth

....Petitioner

And

The Deputy Commissioner,
Department of Commercial Tax,
At Kurnool and anr

...Respondents.

**HONOURABLE SRI JUSTICE G.CHANDRAIAH
AND
HONOURABLE SRI JUSTICE CHALLA KODANDA RAM**

WRIT PETITION No. 14184 OF 2015

ORDER: (per GC,.J.)

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This Writ Petition has been filed to declare the orders issued by the second respondent in Letter ROC No.2/2015/SA-IV dated 4.4.2015 directing to conduct the public auction on 18.5.2015 of the petitioner companies factory and the vacant land situated at D.No.17/9, Basapuram Road, S.No.122/A, Vengalapuram Village, Adoni Mandal, Adoni, in pursuance of issuance of Form No.4 for the attachment of the land property in RC.No.2424/98-99 under Section 25 of R.R. Act and further in

pursuance to the Form No.5 of Sec. 27 of R.R Act dated 3.2.2015 and claiming amount of Rs.2,98,21,678/- under sales tax dues being arbitrary, illegal without jurisdiction or without power and violation of principles of natural justice besides violating the petitioner's rights granted under Article 14,19(1)(g) of the Constitution of India and to set aside the same.

When the matter is taken up for consideration, the learned Government Pleader submits that the proposed auction was postponed and thereafter a consequential revised Form No.4 has been issued on account of hike in value of demand.

In view thereof, the subject matter of this Writ Petition has become infructuous and accordingly the Writ Petition is liable to be dismissed.

However, liberty is given to the petitioner to challenge the subsequent notice if so given and aggrieved thereon.

Subject to the above, the Writ Petition is disposed of. Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

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JUSTICE G. CHANDRAIAH

JUSTICE CHALLA KODANDA RAM

Dated 22TH JUNE, 2015.
Msnr_x