

**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.6555 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:

“For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly in the nature of 'MANDAMUS' declaring the action of the first respondent in passing the impugned Assessment Order in A.A.O.No.6131, dated 19.02.2015 for the Assessment Period 2012-13 & 2013-14 (upto December, 2013) under the A.P. Value Added Tax Act, 2005, levying tax u/s.4 (4) (i) thereof, on the purchase value of Bengal Gram proportionate to the value of the Husk obtained after milling, and also restricting Input Tax Credit and levying tax on alleged stock variation as arbitrary, without jurisdiction, contrary to law, facts and illegal and consequently set aside the same and pass such other order or orders as may be deemed fit and proper in the circumstances of the case and in the interests of justice.”

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 orders 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 13, 2015

v v