

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

WRIT PETITION No.6041 of 2015

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

This writ petition is filed for the following relief:

“For the reasons stated in the accompanying affidavit, it is prayed that the Hon'ble Court may be pleased 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 05.01.2015 for the period 2009-10 and 2010-11 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 set aside the proceedings of the 2nd respondent, dated 05.01.2015 for the period 2009-10 and 2010-11 respectively and consequently quash the assessment proceedings of the 3rd respondent dated 30.03.2013 for the period 2009-10 and 2010-11 respectively, as contrary to the provisions of the Act and also barred by limitation for the period 2009-10 and partly for the period 2010-11, and pass such other order or orders as the Hon'ble Court may deem fit and proper in the circumstance of the case.”

Today when the matter is taken up for hearing, it is submitted by learned counsel for the petitioner as well as learned Special Standing Counsel for Commercial Taxes appearing for the respondents that the subject matter of this writ petition is squarely covered by the common order,

dated 04.03.2015, rendered by a Division Bench of this Court in W.P.No.17972 of 2008 & batch.

In view of the above, following the aforesaid judgment and for the reasons recorded therein, the impugned orders are set aside and the matter is remitted back for fresh consideration and disposal in accordance with law by the concerned authority, after giving the petitioner an opportunity of being heard and by taking into account the findings arrived at by this Court in the aforesaid batch of cases.

The Writ Petition is, accordingly, disposed of. No order as to costs.

The miscellaneous petitions, if any pending, shall stand closed.

JUSTICE R.SUBHASH

REDDY

**Dr. JUSTICE B.SIVA SANKARA
RAO**

11.03.2015

v v