

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

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Writ Petition No.36075 of 2015

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ORDER: (per Hon'ble Sri Justice Ramesh Ranganathan)

Heard Sri P.Karthik Ramana, Learned Counsel for the petitioner, and Sri Shaik Jeelani Basha, Learned Standing Counsel for Commercial Taxes and, with their consent, this Writ Petition is disposed of at the stage of admission.

Consequent upon the assessment order passed by him on 24.07.2015, for the period from May, 2013 to September, 2014, the second respondent passed an order of penalty on 29.09.2015. The assessment order dated 24.07.2015 was set aside by a Division Bench of this Court by its order in W.P.No.31711 of 2015 dated 30.09.2015, and the matter was remanded to the assessing authority. As the assessment order dated 24.07.2015 has since been set aside, the order of penalty dated 29.09.2015, passed in consequence of the assessment order dated 24.07.2015, must also be, and is accordingly, set aside. Needless to state that this order shall not preclude the respondents, if need be, from initiating penalty proceedings after passing an assessment order afresh.

The Writ Petition is, accordingly, disposed of. The miscellaneous petitions pending, if any, shall also disposed of. No costs.

RAMESH RANGANATHAN, J

M. SATYANARAYANA MURTHY, J

Date:16.11.2015.

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