

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

And

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

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WRIT PETITION Nos.27664, 27670, 27711, 27712 & 27725 of 2015

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

Both Sri A.V.A.Siva Kartikeya, learned counsel for the petitioner, and Sri B.Narasimha Sarma, learned Senior Standing Counsel for the Income Tax Department, would agree that an order, similar to that passed in W.P.No.2456 of 2015 and batch dated 26.08.2015, be passed in the present Writ Petitions also. Both the learned counsel would submit that in the aforesaid order, which related to a dispute regarding payment of tax, this Court had directed the petitioner to deposit 40% of the demanded amount and, on compliance, directed stay pending appeal before the Commissioner of Income Tax (Appeals); and, as these cases relate to penalty and as the petitioner has since been complied with the condition imposed by this Court, in its order dated 14.09.2015 of depositing 20% of the disputed penalty, these Writ Petitions could also be disposed of granting stay pending disposal of the appeal before the Commissioner of Income Tax (Appeals).

As Learned Counsel on either side are in agreement, and as the petitioner has deposited 20% of the disputed penalty in compliance with the order of this Court dated 14.09.2015, the respondents shall not take coercive steps for recovery of the balance penalty till the disposal of the appeal by the Commissioner of Income Tax (Appeals).

The Writ Petitions are, accordingly, disposed of. Miscellaneous petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

RAMESH RANGANATHAN, J

M.SATYANARAYANA MURTHY, J

13th November, 2015.

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