

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

Writ Petition No.41075 of 2016

Order: (Per the Hon'ble The Acting Chief Justice Ramesh Ranganathan)

The proceedings under challenge in this writ petition is the penalty demanded in Form VAT 203 dated 5.11.2016. The petitioner's appeal against the assessment order for the same period is admittedly pending before the Appellate Deputy Commissioner. As the petitioner has a statutory remedy of appeal against the order of penalty also, we see no reason to exercise discretion under Article 226 of the Constitution of India to interfere.

Leaving it open to the petitioner to avail the remedy of appeal before the Appellate Deputy Commissioner against the order of penalty also, the writ petition is dismissed. The miscellaneous petitions pending, if any, shall also stand dismissed. There shall be no order as to costs.

The Registry shall return the copy of the order of penalty to the learned counsel for the petitioner, under due acknowledgment.

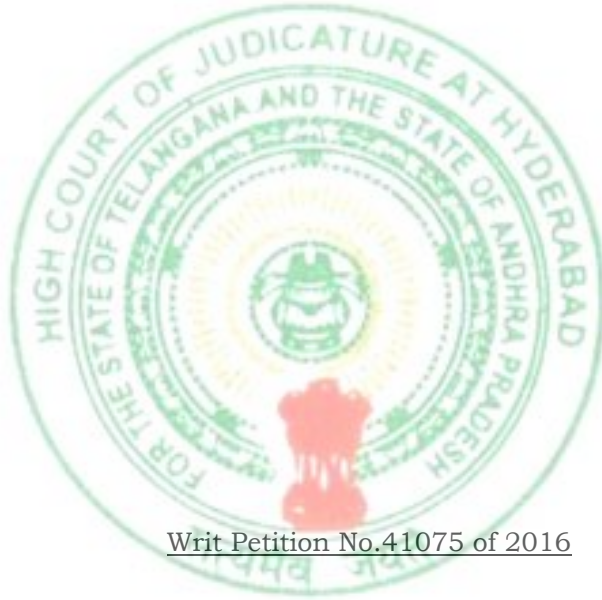
(RAMESH RANGANATHAN, ACJ)

(A. SHANKAR NARAYANA, J)

28th November, 2016

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Writ Petition No.41075 of 2016

Date: 28.11.2016

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