

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

THURSDAY, THE TWENTY THIRD DAY OF APRIL
TWO THOUSAND AND FIFTEEN

:PRESENT:

**THE HON'BLE SRI JUSTICE R.SUBHASH REDDY
AND
THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO**
WP .NO:11706 of 2015

Between:

M/s Fortune Constructions Private Limited, flat No.: 502, Raghava North
Block, Beside Medwin Hospital, Chigar Ali Lane, Abids, Hyderabad 500001.
Rep. by its Director Mr. Yashwant Agarwal, S/o Mahabir Prasad Agarwall.

..... Petitioner

AND

- 1 The Commercial Tax Officer, General Bazar Circle, Mayur Kushal
Complex. 6th Floor, "C" Block, Abids, Hyderabad.
- 2 The Commissioner of Commercial Taxes, State of Telangana, O/o the
Commissioner of Commercial Taxes, Nampally, Hyderabad.

.....Respondents

Petition under Article 226 of the Constitution of India, praying
that in the circumstances stated in the affidavit filed herein, the High Court
may be pleased to issue a Writ, Order or Direction one in the nature of
Mandamus or any other writ declaring the Order levying penalty in AO No.
15343 dated 30.03.2015 for the tax period 2010-11 passed by the
Respondent as arbitrary, illegal, without jurisdiction and in violation of
principles of natural Justice and consequently set aside the same.

The petition coming on for hearing, upon perusing the petition
and the affidavit filed herein, and upon hearing the arguments of Sri A.V.A.
Siva Kartikeya, Advocate for the Petitioner and of the GP for Commercial
Taxes, (TS), for the Respondents, the Court made the following.

ORDER:

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“It is stated that on the same issue batch of cases were already
heard and reserved for orders.

Pending further orders, respondents are directed not to take any
steps to realize the disputed tax pursuant to the impugned order.

Post after Summer Vacation, 2015, for admission.”

Sd/- R.VENKATA LAKSHMI
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The Commercial Tax Officer, General Bazar Circle, Mayur Kushal Complex. 6th Floor, "C" Block, Abids, Hyderabad.
2. The Commissioner of Commercial Taxes, State of Telangana, O/o the Commissioner of Commercial Taxes, Nampally, Hyderabad.
(Addressees 1 & 2 BY RPAD)
3. Two CCs to GP for Commercial Taxes (TS), High Court Buildings, Hyderabad (OUT)
4. One CC to Sri A.V.A. Siva Kartikeya, Advocate (OPUC)
5. Two Spare Copies

HIGH COURT

**RSRJ
&
DR.SSRBJ**

DATE: 23-4-2015

ORDER

WP. NO. 11706 OF 2015

DIRECTION

HIGH COURT

AB
DRAFTED ON 24-4-2015

RSRJ
&
DR.SSRBJ

DATE: 23-4-2015

ORDER

WP. NO. 11706 OF 2015

DIRECTION