

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

THE HON'BLE MS. JUSTICE J. UMA DEVI

WRIT PETITION No. 14831 of 2017

ORDER: (*Per VRS,J*)

Aggrieved by the rejection of the stay petition by the 2nd respondent, pending disposal of a regular appeal against the order of assessment, under the Andhra Pradesh Value Added Tax Act, 2005, the dealer has come up with the above writ petition.

2. Heard Mr. M.V.J.K. Kumar, learned senior counsel for the petitioner. Mr. S. Suribabu, learned special standing counsel for Commercial Taxes (AP), takes notice for the respondents.

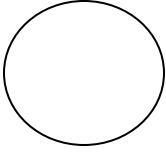
3. As against the assessment order, a regular appeal is pending adjudication. Out of the total amount assessed, the petitioner seems to have paid a sum of Rs.16,85,300/-, which, according to the petitioner, represents 50% of the tax demanded. Therefore, the dismissal of the stay petition is not justified. Hence, the Writ Petition is allowed and the impugned order is set aside. There will be an interim stay, pending disposal of the regular appeal filed by the petitioner.

Consequently, miscellaneous petitions if any pending in the writ petition shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

J. UMA DEVI, J.

24th April, 2017
cbs



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AND
THE HON'BLE MS. JUSTICE J. UMA DEVI



Writ Petition No. 14831 of 2017
(allowed)

24th April, 2017

cbs