

* HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN
AND
HON'BLE Ms. JUSTICE J.UMA DEVI

+ Writ Petition No.13797 of 2017

% 28-4-2017

M/s. Deepak Enterprises,
H.No.7/2/74 B, D.L. Road, Hindupur,
Anantapur District,
Rep. by its Proprietor Boya Ramkumar

... Petitioner

Vs.

\$ 1. The State of A.P., Rep. by its Prl. Secretary,
Revenue (CT-I) Commercial Tax Dept.,
Secretariat, Velagapudi, Guntur District;
and 2 others

... Respondents

! Counsel for the Petitioner: Mr. N.Aswartha Narayana

Counsel for Respondents: Mr. S.Suri Babu,
Special Standing Counsel

< Gist:

> Head Note:

? Cases referred:
Nil.

HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN
AND
HON'BLE Ms JUSTICE J.UMA DEVI

Writ Petition No.13797 of 2017

Order: (per V.Ramasubramanian, J.)

The petitioner has come up with the above writ petition challenging a demand notice dated 10-3-2017 issued under the Andhra Pradesh Value Added Tax Act, 2005.

2. Heard Sri N.Aswartha Narayana, learned counsel for the petitioner and Mr. S.Suri Babu, learned Special Standing Counsel for the respondents.

3. As against a similar demand made by the very same 3rd respondent, another dealer came up with a writ petition in W.P.No.38824 of 2016. There also, no order of assessment was passed, but a demand was made.

4. Though the respondents attempted to justify it by producing an order, it is not actually an order of assessment. Therefore, following the orders passed in W.P.No.38824 of 2016, this writ petition is also allowed and the demand is set aside. The petitioner is directed to file objections to the show cause notices for the years 2009-10 and 2010-11, within 15 days from the date of receipt of a copy of this order. Thereafter, the Assessing Officer shall fix a date for personal hearing. On the said date, the petitioner shall appear without fail, along with necessary documents. Thereafter, the Assessing Officer shall pass orders of assessment, in accordance with the statutory provisions.

The miscellaneous petitions, if any, pending in this writ petition shall stand closed. No costs.

V.RAMASUBRAMANIAN, J.

J.UMA DEVI, J.

28th April, 2017.
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AND
HON'BLE Ms JUSTICE J.UMA DEVI

Writ Petition No.13797 of 2017
(per VRS, J.)



28th April, 2017.
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