

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

and

The Hon'ble Sri Justice Challa Kodanda Ram

Writ Petition No.33620 of 2017

Dt: 01-11-2017

Between:

M/s.Siddi Vinayaka & Co.,
Nizamabad District
Rep.by its partner Mr.D.Naveen Chander

....Petitioner

and

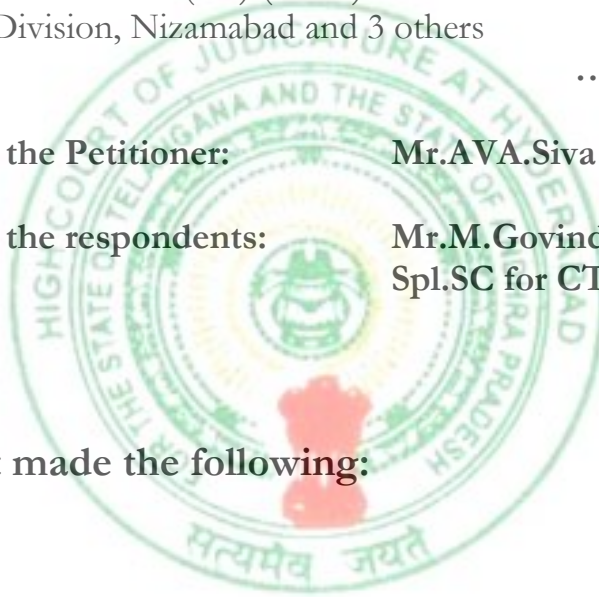
The Asst. Commissioner (CT) (Audit)
Nizamabad Division, Nizamabad and 3 others

....Respondents

Counsel for the Petitioner: Mr.AVA.Siva Kartikeya

**Counsel for the respondents: Mr.M.Govind Reddy
Spl.SC for CT (TG)**

The Court made the following:



Order: (per Hon'ble Sri Justice C.V.Nagarjuna Reddy)

Proceeding No.A.O.21464 TIN.28204874108, dated 20.04.2017, of respondent No.1, whereby he has assessed a sum of Rs.1,21,76,922/- as the tax due from the petitioner, is assailed in this Writ Petition on the short ground that show cause notice, dated 15.03.2017, allegedly, sent by respondent No.1 has not been received by the petitioner.

At the hearing, Mr.M.Govind Reddy, learned Special Standing Counsel for Commercial Taxes (Telangana), on instructions, fairly submitted that respondent No.1 is prepared to give one more opportunity to the petitioner to contest the demand and that the impugned order itself may be treated as a show cause notice to enable the petitioner to submit his objections and respondent No.1 will pass a fresh order after considering such objections.

In the light of the above, the impugned order is set aside with the direction that the same shall be treated as a show cause notice. The petitioner is permitted to submit his objections within one month from the date of receipt of this order and within one month thereafter, respondent No.1

shall pass a fresh order after giving the petitioner's representative an opportunity of personal hearing.

The Writ Petition is, accordingly, allowed to the extent indicated above.

As a sequel, WPMP.No.41827 of 2017, filed by the petitioner for interim relief, is dismissed as infructuous.

(C.V.Nagarjuna Reddy, J)

(Challa Kodanda Ram, J)

Date: 01-11-2017
lur

