

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

WRIT PETITION No. 16150 of 2017

ORDER: (*Per VRS,J*)

Aggrieved by a condition imposed by the Additional Commissioner (CT), for the grant of a stay pending disposal of a regular appeal, the dealer under the Andhra Pradesh Value Added Tax Act, 2005, has come up with the above writ petition.

2. Heard Mr. S. Krishna Murthy, learned counsel for the petitioner. Mr. Shaik Jeelani Basha, learned special standing counsel for Commercial Taxes (AP), takes notice for the respondents.

3. Admittedly, the petitioner has paid 12.5% of the demand and filed an appeal. Therefore, we are of the considered view that by directing the petitioner to pay an additional amount, stay can be granted pending disposal of the appeal.

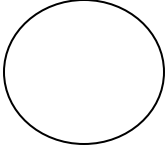
4. Therefore, the Writ Petition is disposed of, setting aside the impugned order and granting an interim stay, pending disposal of the appeal, subject to the condition that the petitioner shall pay, in addition to 12.5% of the demand already paid, a sum equivalent to 25% of the demand, within a period of six (6) weeks.

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.

28th April, 2017
cbs



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