

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

Writ Petition No.14177 of 2017

Order: (per V.Ramasubramanian, J.)

Seeking stay of recovery of the disputed tax pending disposal of a tax revision case before this Court, the petitioner has come up with the present writ petition.

2. Heard Mr. Bhaskar Reddy Vemireddy, learned counsel for the petitioner. Mr. M.Govind Reddy, learned Special Standing Counsel, takes notice for the respondents.

3. It is seen from the records that a tax revision case in TREVC No.27 of 2017 filed under Section 33 of the Telangana Value Added Tax Act, 2005, was admitted by this Court on 27-3-2017. The difficulty for the petitioner is that 2 different benches of this Court have taken contrary views about the power of this Court to grant stay pending a revision. The matter is now pending before a Larger Bench of this Court. This is the reason why instead of filing a miscellaneous petition in the TREVC, the petitioner has come up with the present writ petition.

4. Once a revision is pending, an assessee who has already paid 50% of the demand should normally be granted a stay. During the pendency of the appeal, the Joint Commissioner refused stay, but this Court granted stay.

5. Therefore, following the same, this writ petition is allowed granting interim stay of the recovery of the balance

amount till the TREVC is disposed of. The miscellaneous petitions, if any, pending in this writ petition shall stand closed. No costs.

V.RAMASUBRAMANIAN, J.

J.UMA DEVI, J.

20th April, 2017.
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AND
HON'BLE Ms JUSTICE J.UMA DEVI

Writ Petition No.14177 of 2017
(per VRS, J.)



20th April, 2017.
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