THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

THE HON'BLE MS. JUSTICE J. UMA DEVI

WRIT PETITION No. 11313 of 2017

ORDER: ***(Per VRS,J)***

The dealer under the Telangana Value Added Tax Act, 2005 has come up with the present writ petition, challenging the rejection of their application for stay, pending a regular appeal against the order of assessment.

2. Heard Mr. P. Vasudeva Reddy, learned counsel for the petitioner. Mr. J. Anil Kumar, learned special standing counsel for Commercial Taxes (Telangana), takes notice for the respondents.

3. The petitioner has already paid 50% of the disputed tax so far. Admittedly, their statutory appeal is now pending adjudication. The dispute involved in this case is about the classification of goods. In such circumstances, the refusal of the stay is not justified.

4. 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.

30th March, 2017
cbs

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN √

AND

THE HON'BLE MS. JUSTICE J. UMA DEVI

Writ Petition No. 11313 of 2017
(allowed)

30th March, 2017

cbs