

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION NO.8565 of 2018

ORDER: (per SK,J)

This writ petition was filed assailing the order dated 27.02.2018 passed by the Appellate Deputy Commissioner (Commercial Taxes) (Full Additional Charge), Panjagutta Division, Hyderabad, and the garnishee order dated 08.03.2018 issued by the Assistant Commissioner of State Tax, Panjagutta Circle, Hyderabad.

By interim order dated 22.03.2018, this Court directed as under:

‘Mr.T.Vinod Kamur, learned Standing Counsel, takes notice for the respondents 1 to 4.

Post after two weeks. In the meantime, the petitioner shall file an appeal after depositing 50% of the demand less the amount already recovered from the bank through garnishee order and also after deducting the 12.5% of demand that was paid at the time of filing the first appeal. Upon the petitioner doing so, the garnishee order shall stand released. Till then, the Bank shall not release the further amount to the Department or to the petitioner.’

We are now informed by Sri B.Narayana Reddy, learned counsel for the petitioner, that in terms of the aforestated order, an appeal has already been filed before the Telangana Value Added Tax Tribunal.

In that view of the matter, the garnishee order dated 08.03.2018 to the extent it has not been acted upon shall remain in abeyance pending disposal of the appeal by the Tribunal.

The writ petition is allowed to the extent indicated above.
Pending miscellaneous petitions, if any, shall stand closed in the light of
this final order. No order as to costs.

SANJAY KUMAR,J

T.AMARNATH GOUD,J

Date:06.06.2018

GJ

