

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

WRIT PETITION Nos.9127 and 9135 of 2018

COMMON ORDER: (per SK, J)

The petitioner company in these two writ petitions is the same. Its grievance is with regard to the action of the Commercial Tax authorities in seeking payment of the disputed tax and penalty amounts notwithstanding the pendency of its appeals in relation thereto before the appellate authority.

It appears that the appeals were heard by the Appellate Joint Commissioner (State Tax), Secunderabad Division, Hyderabad, and orders were reserved therein on 08.01.2018. We are now informed that the matters were thereafter reopened for further hearing and orders were reserved afresh on 20.06.2018. The appeals in question are in relation to the tax period 2012-13 to 2014-15.

As the appeals are on the verge of culminating in final orders, we are of the opinion that the Commercial Tax authorities may as well await the decision therein instead of pressing upon the petitioner company to pay the disputed tax and penalty amounts.

The writ petitions are accordingly disposed of directing the Commercial Tax authorities not to take coercive steps until the Appellate Joint Commissioner (State Tax), Secunderabad Division, Hyderabad, passes orders in the two appeals filed by the petitioner company.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

5th JULY, 2018.

T. AMARNATH GOUD, J

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