IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.9383 AND 9384 OF 2018

Between:

W.P. No.9383 OF 2018:

M/s.Anand I Power Limited
(formerly known as "Perferct Circle India Limited)
Viman Puri Colony, Qudbullapur, Hyderabad,
Rep. by its Sr.VP & COO
Shir Rajendra Kumar Jain

...Petitioner

Vs.

The Deputy Commercial Tax Officer,
Nacharam Circle, Hyderabad and others

.. Respondents

W.P. No. 9384 OF 2018:

M/s.Anand I Power Limited
(formerly known as "Perferct Circle India Limited)
Viman Puri Colony, Qudbullapur, Hyderabad,
Rep. by its Sr.VP & COO
Shir Rajendra Kumar Jain

...Petitioner

Vs.

The Deputy Commercial Tax Officer,
Nacharam Circle, Hyderabad and others

.. Respondents

For Petitioner : M/s.Lakshmikumarn

For Respondents : Sri J. Anil Kumar
Special Standing Counsel for CT

Gist :

Head Note :

Cases Referred : Nil

HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.9383 AND 9384 OF 2018

COMMON ORDER: *(per V. Ramasubramanian, J)*

The petitioner, who is a registered Dealer under the Telangana Value Added Tax Act, 2005, has come up with the above writ petitions, challenging the demand notices issued by the Deputy Commercial Tax Officer, even during the pendency of the appeals before the Tribunal.

2. Heard Mr.Lakshmikumarn, learned counsel for the petitioner. Mr.J.Anil Kumar, learned Standing Counsel takes notice for the respondents.

3. Out of the demand of Rs.17,07,753/- relating to the period from December, 2013 to November, 2015, the petitioner has already paid a sum of Rs.8,53,877/-. Similarly, out of a demand of Rs.55,94,000/- for the period from April, 2011 to November, 2014, the petitioner has already paid a sum of Rs.27,96,489/-.

4. Admittedly, the appeals of the petitioner are pending before the Tribunal. Therefore, we do not think that the demand is justified, especially in the light of the amounts so far paid. Therefore, the writ petitions are allowed and the demand notices are set aside. However, depending upon the outcome of the appeals before the Tribunal, the demands can be raised.

5. As a sequel thereto, miscellaneous petitions, if any, pending shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

ABHINAND KUMAR SHAVILI, J

March 23, 2018
KTL