

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

*** HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN**

AND

***HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

+Writ Petition No.9694 of 2018

% 20-03-2018

M/s. Biosafe Health Care Systems Pvt. Ltd.,
Plot No.140, IDA Mallapur, Nacharam, Hyderabad,
Represented by one of its Directors Sri Pramod Rajan

... Petitioner

Vs.

\$ Commercial Tax Officer-2, Enforcement Wing,
O/o the Commissioner of Commercial Taxes,
Telangana State, Commercial Taxes Complex,
Nampally, Hyderabad and 3 others

... Respondents

! Counsel for the Petitioners : Dr. S.R.R. Viswanath

Counsel for Respondents : Mr. J. Anil Kumar, standing
counsel

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

Writ Petition No.9694 of 2018

ORDER: *(V. Ramasubramanian, J)*

The petitioner has come up with the above writ petition challenging an order of penalty.

2. Heard Dr. S.R.R. Viswanath, learned counsel for the petitioner. Mr. J. Anil Kumar, learned standing counsel takes notice for the respondents.

3. The impugned order of penalty was passed as a consequence of the order of assessment. But the order of assessment itself was set aside and the matter remanded back to the Original Authority. Hence, the penalty does not survive. Therefore, the writ petition is allowed.

As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

V. RAMASUBRAMANIAN, J

ABHINAND KUMAR SHAVILI, J

Date: 23-03-2018

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