

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 MS. JUSTICE J. UMA DEVI

WRIT PETITION No.10526 OF 2018

Between:

M/ s.V-Guard Industries Limited,
Sy.No.46(P), Haai Land Amusement Park Road,
Chinna Kakani, Mangalagiri Mandal,
Guntur District, rep. by its Senior Officer
Sri P. Shankar Gowda

...Petitioner

Vs.

Dy. Commissioner of Stales Tax
(Formerly known as Assistant Commissioner (CT)
(LTU)), Guntur Division, Guntur and others

... Respondents

For Petitioner : Sri S. Krishna Murthy

For Respondents : Sri Shaik Jeelani Basha

Gist :

Head Note :

Cases Referred : Nil

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ORDER: (Per V.Ramasubamania, J)

Challenging the rejection of a petition for stay of collection of penalty, the dealer under the Andhra Pradesh Value Added Tax Act, 2005 has come up with the above writ petition.

2. Heard Mr.S Krishna Murthy, learned counsel for the petitioner. Mr.Shaik Jeelani Basha, learned Special Standing Counsel takes notice for the respondents.

3. As against the dismissal of the stay application, pending a regular first appeal, in respect of the tax component, the petitioner came up with a writ petition in W.P. No.35187 of 2017. The said writ petition was allowed on 24.10.2017 subject to certain conditions. The conditional order is stated to have been complied with by the petitioner. Therefore, the present writ petition, as it relates only to penalty, is allowed granting a stay of recovery of penalty pending disposal of the first appeal.

4. 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

April 03, 2018
KTL

