

* 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

+ W.P.No.10578 of 2018

%Date: 09-04-2018

Between:

M/s. Electronics Corporation of India Ltd.,
Cherlapally, Hyderabad.
Rep. by its DGM, Indirect Taxation,
Finance & Accounts Mr. B. Bhattacharya
S/o. Late Debi Prosad Bhattacharya

... Petitioner

Vs.

1. The State of Telangana, Rep. by its Principal Secretary, Revenue (CT), Deptment, Government of Telangana, Hyderabad.
2. The Additional Commissioner (ST) Office of Commissioner of State Tax State of Telangana Nampally St. Road, Hyderabad.
3. The Deputy Commissioner (CT), Saroornagar Division, Hyderabad.
4. The Assistant Commissioner (CT) LTU, Saroornagar Division, Nampally St. Road, Hyderabad.

... Respondent

! Counsel for the Petitioner : Mr. B. Srinivas

^ Counsel for the Respondents : Mr. J. Anil Kumar Spl. SC for CT

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> HEAD NOTE:

? Cases referred

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

W.P.No.10578 of 2018

ORDER: (per VRS,J)

The petitioner has come up with the above writ petition challenging the rejection of a stay petition pending a regular appeal.

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

3. Admittedly the petitioner had already paid 25% of the demand while filing the regular appeal. The regular appeal is pending before the Telangana VAT Tribunal.

4. The petitioner is a Government of India undertaking. Therefore, they cannot be treated as any other dealer, since the interest of the revenue will always be safeguarded insofar as the State Government or Central Government undertakings are concerned.

5. In view of the above, the writ petition is disposed of granting an interim stay of collection of the balance of tax, pending disposal of the regular appeal before the Telangana VAT Tribunal. There shall be no order as to costs.

6. As a sequel, miscellaneous petitions pending in this writ petition, if any, shall stand closed.

V. RAMASUBRAMANIAN, J.

ABHINAND KUMAR SHAVILI, J.

9th April, 2018
Js.

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

W.P.No.10578 of 2018
(Per VRSJ)



9th April, 2018

Js.