

*THE HON' BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

*THE HON' BLE MS. JUSTICE J. UMA DEVI

+ WRIT PETITION No.33864 of 2017

%Date: 13.04.2018

Between:

M/s.Penna Cement Industries Limited,
Banjara Hills, Hyderabad,
Rep. by its Deputy General Manager.

.. Petitioner

Vs.

\$ Assistant Commissioner (CT), LTU,
Anantapur Division, Anantapur and others

.. Respondents

! Counsel for petitioner : Mr.S.Dwarakanath

^ Counsel for respondents : Mr.Sk.Jeelani Basha

<GIST:

>HEAD NOTE:

? CASES REFERRED: ----



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WRIT PETITION No.33864 of 2017

ORDER: (Per V.Ramasubramanian, J)

Challenging the levy of penal interest upon the petitioner on the ground that there was delay in repayment of the deferred sales tax, a dealer has come up with the above writ petition.

2. Heard Mr.I. Ramana Reddy, learned counsel for the petitioner and Mr.Shaik Jeelani Basha, learned Special Standing Counsel for the respondents.

3. The sales tax deferment was granted to the petitioner for a period of 14 years. But, by the impugned order, the deferment is taken to a period of 13 years and penal interest demanded as though there was delay in payment.

4. On identical questions, a Bench of this Court allowed the writ petition filed by a dealer in WP No.1261 of 2018 dated 22.01.2018 and the said order was followed by this Court by order, dated 03.04.2018 in WP No.7418 of 2018. Following the same, this writ petition is also allowed.

5. Consequently, miscellaneous petitions if any pending shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

J. UMA DEVI, J

April 13, 2018

KTL