

HON' BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

THE HON' BLE MS.JUSTICE J. UMA DEVI

WRIT PETITION No.16581 OF 2018

ORDER: (per V. Ramasubramanian, J)

As against the refusal of the respondents to grant stay of collection of penalty pending disposal of a regular appeal arising out of penalty, the dealer under the Andhra Pradesh Value Added Tax Act, 2005, has come up with the present 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 Commercial Tax.

3. As against the demand for tax, the petitioner has filed an appeal. When an application for stay was rejected, this Court granted stay after taking note of the fact that the petitioner has paid 25%of the tax demanded.

4. Now in the regular appeal filed against the order of penalty, the petitioner has already paid 12.5%of the penalty. Therefore, the writ petition is disposed of directing the petitioner to pay another sum equivalent to 12.5%of the penalty demanded within a period of four (4) weeks from today. If such deposit is made, the recovery of the balance of penalty shall stand stayed until disposal of the main appeal arising out of penalty and arising out of assessment.

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

V. RAMASUBRAMANIAN, J

J. UMA DEVI, J

May 01, 2018
KTL