

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.16741 OF 2018

Date:02.05.2018

Between:

M/s.Intex Technologies India Limited,
Governorpet, Vijayawada,
Rep.by its Commercial Incharge

...Petitioner

Vs.

State of Andhra Pradesh,
Rep.by its Principal Secretary, Revenue (CT) Department,
Amaravathi, A.P. and others

.. Respondents

For Petitioner

: Mr.M.V.J.K. Kumar

For Respondents

: Mr.Shaik Jeelani Basha

Gist

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Head Note

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Cases Referred

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HON' BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

THE HON' BLE MS.JUSTICE J. UMA DEVI

WRIT PETITION No.16741 OF 2018

ORDER: (per V. Ramasubramanian, J)

Aggrieved by the rejection of a stay petition pending disposal of a second appeal, the Dealer under the AP VAT Act, 2005, has come up with the above writ petition.

2. Heard Mr.M.V.J.K.Kumar, learned counsel for the petitioner. Mr.Shaik Jeelani Basha, learned Special Standing Counsel takes notice for the respondents.

3. The petitioner has already paid 12.5%of the demand at the time of filing of the first appeal and 37.5%of the disputed tax at the time of filing the second appeal.

4. In view of the fact that the petitioner has already paid 50%of the demand and they are on statutory appeal, the petitioner deserves interim stay.

5. In view of the above, the writ petition is allowed, setting aside the impugned order and granting a stay of collection of balance of amount, pending disposal of the second appeal.

6. 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 02, 2018
KTL