

* HONOURABLE SRI JUSTICE V.RAMASUBRAMANIAN
AND
HONOURABLE SRI JUSTICE P.KESHAVA RAO

+ Writ Petition No.46837 of 2018

% 26-12-2018

M/s. Krishi Agro Agencies, Kurnool, Plot No.3,
Dhana Reddy Complex, N.H.7, Kurnool, A.P.,
Rep. by its Manager, Mandapati Sunil Kumar,
S/o Atchuta Rama Raju, Aged 39 years

... Petitioner

Vs.

\$ 1. The Addl. Commissioner (CT)(Legal),
O/o Commissioner of Commercial Taxes,
Eduapugallu, Near Vijayawada, Krishna Dist., A.P.

2. The Deputy Commissioner CT,
Kurnool Division, Kurnool, A.P.

3. The Deputy Commercial Tax Officer-I,
Kurnool-II Circle, Kurnool Division, A.P.

4. State of A.P., Rep. by its Prl. Secretary,
Revenue (CT) Dept., Velagapudi,
Amaravathi, Guntur Dist., A.P.

... Respondents

! Counsel for the Petitioner: Mr. M.V.J.K. Kumar

Counsel for Respondents: Mr. S.Suri Babu,
Special Standing Counsel

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> Head Note:

? Cases referred:
Nil.

HONOURABLE SRI JUSTICE V.RAMASUBRAMANIAN
AND
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Writ Petition No.46837 of 2018

Order: (per V.Ramasubramanian, J.)

The petitioner has come up with the above writ petition challenging the dismissal of a stay petition pending a regular first appeal before the Tribunal.

2. Heard Mr. M.V.J.K. Kumar, learned counsel for the petitioner. Mr. S.Suri Babu, learned Special Standing Counsel, takes notice for the respondents 1 to 4.

3. What is pending before the Tribunal is a first appeal, on which the petitioner has already paid 25% of the disputed tax. Therefore, the writ petition is disposed of granting stay of collection of the balance tax, pending disposal of the appeal before the Tribunal, subject to the condition that the petitioner deposits another 25% of the disputed tax within a period of four weeks. Pending applications, if any, shall stand closed. No costs.

V.RAMASUBRAMANIAN, J.

P.KESHAVA RAO, J.

26th December, 2018.
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Writ Petition No.46837 of 2018
(per VRS, J.)



26th December, 2018.
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