

***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.39719 OF 2018

% Date:20.11.2018

Between:

M/s.B. Venkata Ramana, Works Contractor,
Madanapalli, Chittoor District.

... Petitioner

v.

\$ The Commercial Tax Officer,
Madanapalli and another.

.. Respondents

! For Petitioner : Mr. S. Krishna Murthy

^ For Respondents : Mr. Shaik Jeelani Basha

< Gist :

> Head Note :

? Cases Referred : Nil

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HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

THE HON'BLE MS.JUSTICE J. UMA DEVI

WRIT PETITION No.39719 OF 2018

ORDER: (*Per V. Ramasubramanian, J*)

The petitioner, who is a Dealer under the Andhra Pradesh Value Added Tax Act, 2005, has come up with the above writ petition challenging an order of assessment.

2. Heard Mr. S. Krishna Murthy, learned counsel for the petitioner and Mr. Shaik Jeelani Basha, learned Special Standing Counsel for the respondents.

3. The impugned order of assessment was passed *ex parte*, on the ground that the petitioner kept on seeking time to file objections, but never filed objections. The learned counsel for the petitioner sought one opportunity. In order to test their bonafidies, we directed the petitioner to treat the impugned order of assessment as a show cause notice and file their objections on or before 16.11.2018. Today, the learned counsel for the petitioner has produced a copy of the objections filed on 14.11.2018.

4. In view of the above, the writ petition is ordered setting aside the impugned order. The impugned order is treated as a show cause notice and the petitioner has filed their objections on 14.11.2018. The petitioner shall appear along with all materials, for a personal hearing before the Assessing Officer on 3.12.2018. Thereafter, the Assessing Officer shall pass orders afresh.

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

V. RAMASUBRAMANIAN, J

J. UMA DEVI, J

November 20, 2018
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