

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 27.03.2019

Coram

The Honourable DR.JUSTICE ANITA SUMANTH

W.P. No. 8469 of 2019
&W.M.P.No.9002 & 9003 of 2019

M/s.Pavai Varam Educational Trust,
No.64-C Rotary Nagar,
Rasipuram-637408
Pan No.AAATP6024DPetitioner

/Vs/

1. The Assistant Commissioner of Income Tax,
Central Circle, Salem-636 007
2. The Commissioner of Income Tax (Appeals)-19
121 Mahatama Gandhi Road
Nungambakkam
Chennai-600 034Respondents

P R A Y E R: WRIT PETITION under Article 226 of the Constitution in the nature of Certiorari Mandamus calling for the records of the 2nd respondent in PAN No.AAATP6024D and quash the impugned order in F.No.128/18-19/CIT(A)-19 dated 15.03.2019 and direct the 1st respondent to grant of stay of demand for AY 2017-18 till disposal of appeal before 2nd respondent in ITA No.128/18-19.

For Petitioner : Pushya Sitaraman, Senior Counsel
Mr.Arun Kurian Joseph

For Respondents : Mr.A.N.R.Jayapratap

O R D E R

In light of the order dated 27.03.2019 passed by the Commissioner of Income Tax (Appeals) (CIT(A)), a copy of which has been placed on record, nothing further survives in this writ petition and the same stands closed.

2. The petitioner is at liberty to request the CIT(A) for expeditious disposal of the appeal. It is clarified the original timelines fixed by this Court in W.P.No.7681 of 2019 will apply as follows:

(i) The petitioner will appear before the CIT(A), on

03.04.2019.

(ii) After hearing the petitioner, the CIT(A) shall pass appropriate orders upon the application for stay bearing in mind existence of a prima facie case, financial stringency and the balance of convenience in the matter, within a period of two(2) weeks from the date of conclusion of the personal hearing i.e. on or before 22.04.2019.

(iii) Status quo, as on today, shall be maintained till 22.04.2019 with regard to recovery.

3. Consequently, connected miscellaneous petitions are also closed. No costs.

Sd/-

Deputy Registrar (CJ Conf)

//True Copy//

Sub Assistant Registrar

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To,

1. The Assistant Commissioner of Income Tax,
Central Circle, Salem-636 007
2. The Commissioner of Income Tax(Appeals)-19
121 Mahatama Gandhi Road
Nungambakkam
Chennai-600 034

+1cc to Mr.A.P.Srinivas, Advocate, S.R.No. 29238

+1cc to Mr.Arun Kuria Joseph, Advocate, S.R.No.29250

W.P. No. 8469 of 2019

&W.M.P.No.9002 & 9003 of 2019

SAI (CO)
GN(24/05/2019)

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