

HON' BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

HON' BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.3733 of 2019

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

1) The petitioner has come up with the above writ petition challenging the attempt of the respondents to collect the Entry Tax for the assessment years 2012-2013 to 2015-2016, despite the pendency of the first appeals before the Appellate Deputy Commissioner.

2) Heard Mr.Durga Prasad, learned counsel for the petitioner. Mr.T.Vinod Kumar, learned Special Standing Counsel takes notice for the respondents.

3) The petitioner has filed first appeals as against the orders of assessment under the Telangana Tax on Entry of Goods into the Local Areas Act, 2001. At the time of filing of the appeals, the petitioner has paid 12.5% of the demand. Therefore, the respondents are attempted to collect the balance.

4) However, a batch of writ petitions challenging the vires of the Act are now pending on the file of this Court and in those cases conditional orders of stay have been granted. Hence, we are of the view that by directing the petitioner to pay an additional amount of 12.5% of the demand, they can be granted stay of collection of balance.

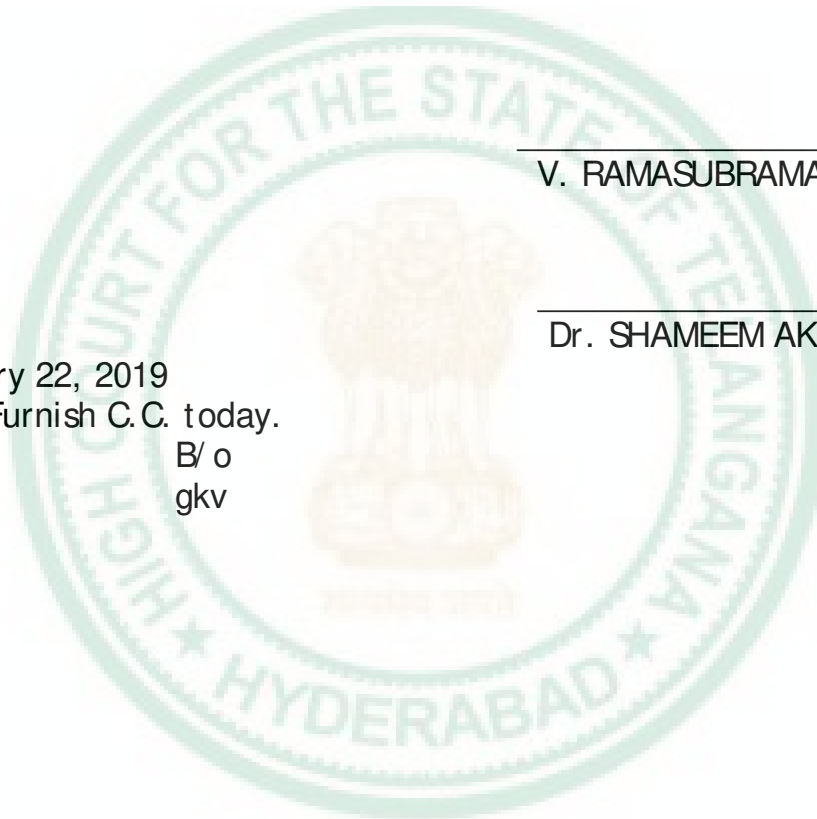
5) In view of the above, the writ petition is disposed of granting stay of collection of the balance of amount due under the aforesaid Act, till the disposal of the appeals before the Appellate Deputy Commissioner, subject to the petitioner paying 12.5% of the demand in addition to the amount already paid within a period of four weeks.

6) As a sequel, miscellaneous petitions, if any, pending in the Writ Petition stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

Dr. SHAMEEM AKTHER, J

February 22, 2019
Note: Furnish C.C. today.
B/ o
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Date: 22.02.2019

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