

**HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO
AND
HONOURABLE SRI JUSTICE T.AMARNATH GOUD**

WRIT PETITION NO.4220 OF 2020

ORDER

(Per Honourable Sri Justice M.S.Ramachandra Rao)

Heard counsel for the petitioner and Sri J.Anil Kumar, Special Counsel for Commercial Taxes for the respondents.

2. The petitioner has assailed the order dt.18.01.2020 in ACO No.20/2020 passed by the 1st respondent directing the petitioner to pay 50% of the disputed tax pending disposal of the Appeal before the Appellate Joint Commissioner (ST), Punjagutta Division, Hyderabad.

3. Admittedly, the petitioner had paid 12.5% of the disputed tax while preferring the Appeal before the Appellate Joint Commissioner. The petitioner would have to pay another 37.5% of the disputed tax (making it 50% as per the order passed by the 1st respondent on 18.01.2020).

4. Counsel for the petitioner submits that if the petitioner is granted some more time to pay this amount, the petitioner would endeavour to comply with the said direction of the 1st respondent.

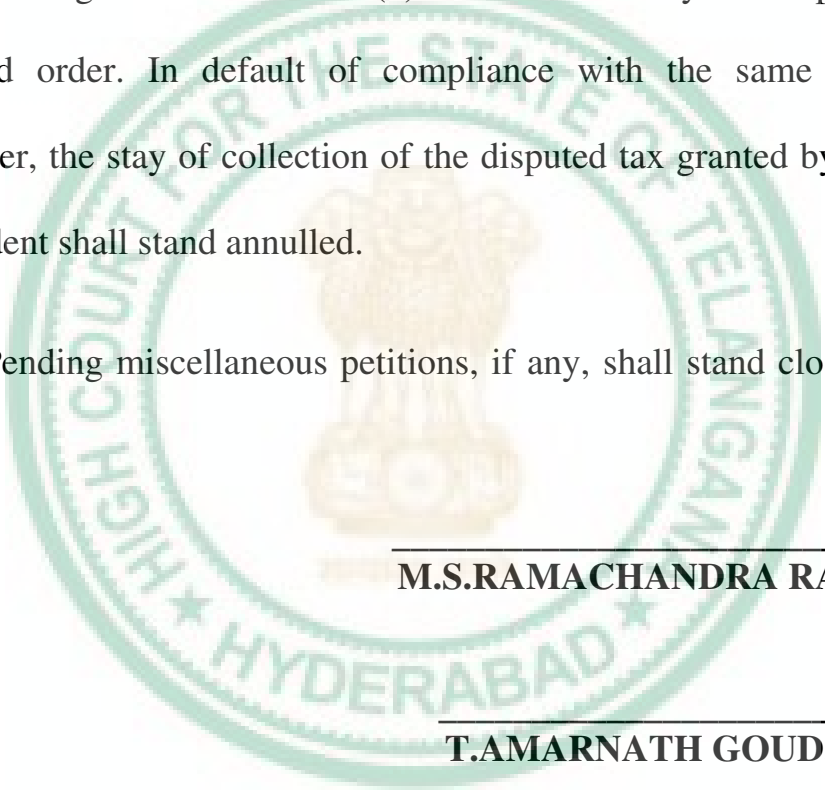
5. Special Government Pleader for Commercial Taxes opposed the said plea.

6. Having regard to the fact that 12.5% of the disputed tax has already been paid while preferring the Appeal to the Appellate Joint

Commissioner, in the interest of justice, we feel it appropriate to grant six (6) weeks' time to the petitioner to deposit the balance 37.5% of the disputed tax as a condition for stay of collection of the rest of the disputed tax pending disposal of the Appeal filed by the petitioner before the Appellate Joint Commissioner.

7. Accordingly, the Writ Petition is allowed; order dt.18.01.2020 in ACO No.20/2020 passed by the 1st respondent is modified and the petitioner is granted time of six (6) weeks from today to comply with the said order. In default of compliance with the same by the petitioner, the stay of collection of the disputed tax granted by the 1st respondent shall stand annulled.

8. Pending miscellaneous petitions, if any, shall stand closed. No costs.



M.S.RAMACHANDRA RAO, J

T.AMARNATH GOUD, J

27th FEBRUARY, 2020

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