

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD

WEDNESDAY, THE THIRTIETH DAY OF SEPTEMBER  
TWO THOUSAND AND NINE

PRESENT

**HON'BLE MR JUSTICE GHULAM MOHAMMED  
AND  
HON'BLE MR JUSTICE G. BHAVANI PRASAD**

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**WRIT PETITION No.23059 of 2009**

Between:

M/s. Indico Remedies Limited

**..... PETITIONER**

AND

Commercial Tax Officer, Vidyanagar Circle, Hyderabad and others

**.....RESPONDENTS**

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**ORDER:** (Per Hon'ble Sri Justice Ghulam Mohammed)

This writ petition is filed seeking a writ of certiorari challenging the Arrear Notice dated 16.09.2009 for the period October 2006 to March 2009 issued by the first respondent and the order in Appeal No.S/74/09-10 dated 29.07.2009 passed by the third Respondent in rejecting the stay petition and the Final Assessment Order dated 20.05.2009 for the period October 2006 to March 2009 passed by the second respondent, and consequently to direct the respondents not to take any coercive steps for recovery of the amount disputed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Commercial Taxes.

It is submitted by the learned counsel for the petitioner that the subject matter of this writ petition is squarely covered by the judgment of a Division Bench of this Court in W.P.No.17019 of 2007, dated 10.08.2007.

In the circumstances, following the said judgment and for the reasons mentioned therein, this writ petition is also allowed and order dated 29.07.2009 is quashed with the direction that the third respondent-Appellate Deputy Commissioner (CT), Secunderabad Division shall pass

fresh order on the petitioner's application for stay within a maximum period of three weeks from today. We also direct that till passing of fresh order, the arrear notice issued by the first respondent dated 16.09.2009 shall not be executed. No costs.

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**GHULAM MOHAMMED,J**

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**G. BHAVANI PRASAD ,J**

September 30, 2009  
MD/SJ