

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 31ST DAY OF MAY, 2012

BEFORE

THE HON'BLE MR.JUSTICE B.S.PATIL

W.P.Nos.15844/2012 & 17114-17130/2012 (T-RES)

BETWEEN:

M/s. Ridhi Sidhi Metals,
No.152/1, Kumbarpet Main Road,
S.P.Road Cross,
Bangalore-02,
Rep.by its Prop. Goutham Jain. ... **PETITIONER**

(By Sri C.S.Suryakanth, Adv.)

AND:

The Additional Commissioner of Commercial Taxes,
Zone-1, Vanijya Therige Karyalaya,
3rd Floor, Gandhinagar,
Bangalore. ... **RESPONDENT**

(By Sri K.M.Shivayogiswamy, AGA)

These writ petitions are filed under Articles 226 & 227 of the Constitution of India, praying to quash the notice issued by the respondent authority under Section 64 of the Act dated 3.3.2012 vide Annexure-B and etc.

These petitions coming on for preliminary hearing-B group this day, the Court made the following:

ORDER

1. It is submitted by the learned counsel for the petitioner that the challenge made to the notice issued under Section

4

64(1) of the KVAT Act, 2003 does not survive for consideration, in view of the subsequent order passed by the Additional Commissioner of Commercial Taxes, Zone-1, Bangalore, on 15.05.2012. The said order is stated to have been served on the petitioner on 26.05.2012. Learned counsel for the petitioner further submits that petitioner intends to prefer an appeal against the order passed by the Additional Commissioner before this Court. He therefore seeks to withdraw these writ petitions to enable him to file an appeal.

2. Hence, these writ petitions are dismissed as withdrawn reserving liberty to the petitioner to prefer an appeal as provided in law.

Sd/-
JUDGE

VP