

**HON'BLE SRI JUSTICE ASHUTOSH MOHUNTA
AND
HON'BLE SRI JUSTICE M. SATYANARAYANA
MURTHY**

WRIT PETITION No. 14141 of 2014

Dated: 29.04.2014

Between:

M/s.LMJ International Limited,
Rep. by its Admin,
Mr.I.V. Vasu

.....Petitioner

And

Commercial Tax Officer,
Gajuwaka Circle,
Visakhapatnam and three others.

....Respondents

The Court made the following :

**HON'BLE SRI JUSTICE ASHUTOSH MOHUNTA
AND
HON'BLE SRI JUSTICE M. SATYANARAYANA
MURTHY**

WRIT PETITION No. 14141 of 2014

ORDER : (*per Hon'ble Sri Justice Ashutosh Mohunta*)

The petitioner is aggrieved by the order, dated 03.04.2014, passed by the 3rd respondent, wherein the stay application of the petitioner was dismissed during pendency of the appeal before the Sales Tax Appellate Tribunal, Visakhapatnam.

2. The petitioner has prayed that the respondents be restrained from taking any coercive steps for recovery of the balance disputed tax of Rs.4,46,296/- out of total disputed tax of Rs.5,95,296/- for the assessment year 2007-2008, till disposal of the appeal before the Sales Tax Appellate Tribunal, Visakhapatnam.
3. Learned counsel for the petitioner submits that the petitioner has already deposited 25% of the disputed tax.
4. After hearing the counsel for the parties, we dispose

of the writ petition with a direction that the petitioner shall deposit 50% of the disputed tax within a period of four weeks from today and it shall be given credit to the amount of tax already deposited by it. On such deposit, the further recovery of the disputed tax from the petitioner shall remain stayed during pendency of appeal before the Sales Tax Appellate Tribunal, Visakhapatnam. In the event of the petitioner not complying with the aforementioned direction, the stay order shall stand vacated automatically.

5. With the above observation, the writ petition is disposed of. No order as to costs.

6. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

ASHUTOSH MOHUNTA, J

M. SATYANARAYANA MURTHY, J

29th April 2014.

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