

HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE THIRTIETH DAY OF JUNE
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HON'BLE SRI JUSTICE M. S. RAMACHANDRA RAO
AND
THE HON'BLE ONOURABLE SRI JUSTICE T. VINOD KUMAR

WRIT PETITION NO: 327 OF 2021

Between:

M/s. JAIN PET / DARSHAN SIPANI, Plot No. 133/1, Road No 25, Kattedan Industrial Estate, Hyderabad, 500077 Represented by its Proprietor Mr. Darshan Sipani

...PETITIONER

AND

1. The Commercial Tax Officer, Rajender Nagar-2 Circle, Saroor Nagar Division, Hyderabad.
2. The State of Telangana, Rep. by its Principal Secretary, Revenue (CT) Department, Telangana Secretariat, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue Writ of Mandamus or any other appropriate Writ or Order or direction declaring the action of the 1st Respondent in passing the Original Assessment Proceedings, dated 28.03.2020 for the tax period 2015-16 under the Central Sales Tax Act 1956, without serving Notices and without granting sufficient opportunity of being heard to the Petitioner, without assigning any good and sufficient reasons, as arbitrary, contrary to law, barred by limitation for the tax period April, 2015 to February, 2016, the same is in violation of principles of natural justice, without jurisdiction and consequently set aside the Original Assessment Proceedings of the 1st respondent, dated 28.03.2020, which was not served on the Petitioner

IA NO: 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant stay of all further proceedings, in pursuance of the Original Assessment Proceedings, dated 28.03.2020 of the 1st Respondent, for the tax period 2015-16, under Central Sales Tax Act 1956, pending disposal of the above Writ Petition, as otherwise, the Petitioner will be put to severe loss and hardship

Counsel for the Petitioner: SRI VENKATRAM REDDY MANTUR

Counsel for Respondents: GP FOR COMMERCIAL TAXES

The Court made the following: ORDER

HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

AND

HONOURABLE SRI JUSTICE T. VINOD KUMAR

WRIT PETITION NO.327 OF 2021

ORDER:

(See to Justice M.S.Ramachandra Rao)

Learned counsel for the petitioner states that the Assessing Officer has assured that he would reconsider the matter and take into account the statutory Forms filed by the petitioner, and seeks permission to withdraw this Writ Petition

2. In this view of the matter, the Writ Petition is dismissed as withdrawn with liberty to revive it in the event the Assessing Officer does not consider the statutory Forms.
3. Pending miscellaneous petitions, if any, in this Writ Petition shall also stand dismissed. No costs.

SDI-T,TIRUMALA DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to Sri Venkatram Reddy Mantur Advocate [OPUC]
2. Two CCs to GP For Commercial Taxes, High Court for the State of Telangana.
[OUT]
3. Two CD Copies
4. One Spare Copy

MBC

N.J.

HIGH COURT

DATED: 30/06/2021



ORDER

WP.No.327 of 2021

DISMISSING THE WRIT PETITION AS WITHDRAWN,
WITHOUT COSTS

⑥ ~~22/7/21~~