

(2021) 10 KL CK 0136

In the High Court Of Kerala

Case No : Writ Petition (C) No. 22539 Of 2021

A.K. Muhammed Fowzeer

APPELLANT

Vs

State Tax Officer

RESPONDENT

Date of Decision : 22-10-2021

Acts Referred:

Citation : (2021) 10 KL CK 0136

Hon'ble Judges : Bechu Kurian Thomas, J

Bench : Single Bench

Advocate : N.Muraleedharan Nair, Antony Jones

Final Decision : Disposed Of

Judgement

Bechu Kurian Thomas, J

1. Aggrieved by Ext.P1 assessment order, relating to assessment year 2011-2012, petitioner has preferred an appeal before the 2nd respondent, a copy of which is produced as Ext.P3. A petition for stay of proceedings pursuant to the assessment order has also been filed as Ext.P5. Petitioner apprehends coercive proceedings to be effected even before the petition for stay is considered. Hence, this writ petition.

2. Having considered the submissions of the counsel for the petitioner as well as the respondents, I am of the opinion that this writ petition itself can be disposed of with a direction.

3. Accordingly, there will be a direction to the 2nd respondent to consider and pass orders on Ext.P5 stay petition, within a period of three months from the date of receipt of a copy of this judgment. It is made clear that, the application filed by the petitioner for advance hearing of the appeal, which is filed as Ext.P4, shall also be considered and disposed of.

4. Till such a decision is taken, all coercive proceedings against the petitioner shall be kept in abeyance.

The writ petition is disposed of as above.