
(2023) 07 KL CK 0088
In the High Court Of Kerala
Case No : Writ Petition (C) No. 22601 Of 2023

Alvaikutty

APPELLANT

Vs

National Faceless Assessment Centre

RESPONDENT

Date of Decision : 12-07-2023

Acts Referred:

Citation : (2023) 07 KL CK 0088

Hon'ble Judges : C.S.Dias, J

Bench : Single Bench

Advocate : M.P.Shameem Ahamed, Akhil Philip Manithottiyil, Christopher Abraham

Final Decision : Disposed Of

Judgement

C.S.Dias, J

1. The writ petition is filed to direct the third respondent to consider and dispose of Ext P5 appeal and Ext P6 stay petition, expeditiously.

2. The petitioner's case is that, aggrieved by Ext P2 assessment order and Ext P3 demand notice, the petitioner has preferred Ext P5 appeal before the third respondent on 05.05.2022. Subsequently, on receipt of Exts P7 to P9, the petitioner has filed Ext P6 stay petition before the third respondent on 23.06.2023. The petitioner is apprehensive that the respondents may enforce Exts P2 & P3 through Exts P7 to P9 during the pendency of Ext P6 stay petition. Hence, the writ petition.

3. Heard; Sri. M.P Shameem Ahamed, the learned counsel appearing for the petitioner and Sri.Christopher Abraham, the learned Standing Counsel appearing for the respondents 1 to 3. In view of the limited relief that I propose to pass, notice to the fourth respondent is dispensed with.

4. Having considered the pleadings and materials on record and taking note of the fact that Ext P6 stay petition is pending consideration before the third

respondent since 23.06.2023, I deem it appropriate to dispose of the writ petition.

Resultantly, I order the writ petition as follows:

(i) The third respondent is directed to consider and dispose of Ext P6 stay petition, in accordance with law and as expeditiously as possible, at any rate, within a period of three months from the date of receipt of a certified copy of this judgment, after affording the petitioner an opportunity of being heard.

(ii) Needless to mention that, if the third respondent proposes to pass any conditional order of stay, he shall state reasons for the same.

(iii) Until such time orders are passed on Ext P6 stay petition, all further coercive proceedings pursuant to Exts P2 & P3 shall stand deferred.