

(2006) 09 MAD CK 0207

In the Madras High Court

Case No : Writ Petition No's. 36541 and 36542 of 2006 and M.P. No's. 1 of 2006 in Writ Petition No's. 36541 and 36542 of 2006

Srinivasa Trading Co.

APPELLANT

Vs

The Appellate Assistant Commissioner (CT) and The Deputy
Commercial Tax Officer

RESPONDENT

Date of Decision : 28-09-2006

Acts Referred:

Citation : (2006) 09 MAD CK 0207

Hon'ble Judges : P. Jyothimani, J

Bench : Single Bench

Advocate : P. Rajkumar, for the Appellant; A. Shanmugasundaram, GA, for the Respondent

Final Decision : Disposed Off

Judgement

P. Jyothimani, J.—The first respondent being the appellate authority, by the order dated 24.7.2006 has directed the petitioner to pay

another 25% of the disputed tax of Rs. 1,32,402/- and Rs. 77,998/- on or before 24.08.2006 and the balance 50% of the tax i.e., Rs. 2,64,706/-

and Rs. 1,55,993/- shall be paid by way of furnishing security on or before 24.08.2006.

2. The learned Counsel for the petitioner would submit that originally the petitioner has paid 25% of the disputed tax while the appeal was filed

before the appellate authority at the time of moving the stay petition. Now, that the appellate authority has directed to pay another 25% of the

disputed tax, the petitioner is prepared to pay, if sufficient time is given.

3. I have heard the learned Counsel for the petitioner and the learned Government Advocate taking notice on behalf of the respondents.

4. The writ petitions are disposed of with the following direction:

In view of the same, the petitioner is permitted to pay another 25% of the disputed amount as per the order of the 1st respondent dated 24.7.2006

within a period of three weeks from the date of receipt of a copy of this order. In addition to that, the petitioner shall pay another 10% of the

disputed tax within the time stipulated above and in respect of the remaining 40%, the petitioner shall be permitted to furnish personal bond on or

before the said date. If the petitioner fails to comply with any one conditions as stated above, it is open to the respondents to recover the full

amount in accordance with law.

No costs. Consequently, connected miscellaneous petitions are closed.