
(2021) 12 KL CK 0212

In the High Court Of Kerala

Case No : Writ Petition (C) No. 30826 Of 2021

Voltas Limited

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision : 31-12-2021

Acts Referred:

Citation : (2021) 12 KL CK 0212

Hon'ble Judges : Murali Purushothaman, J

Bench : Single Bench

Advocate : M.Gopikrishnan Nambiar, K.John Mathai, Joson Manavalan, Kuryan Thomas, Paulose C. Abraham, Raja Kannan, S.Parvathi, Jimmy George

Final Decision : Disposed Of

Judgement

Murali Purushothaman, J

1. Challenging Ext.P1 order of assessment for the year 2015-16, the petitioner has preferred Ext.P2 appeal before the second respondent. The

petitioner has also filed Ext.P3 stay petition. During the pendency of the statutory appeal, Ext.P4 revenue recovery demand notice has been issued.

2. According to the petitioner, the initiation of revenue recovery proceedings during the pendency of the statutory appeal is not sustainable in law. The

limited prayer of the petitioner is for a direction to the second respondent to consider and pass orders on Ext.P2 statutory appeal filed under the Kerala

Value Added Tax Act,2003.

3. Heard; the learned counsel for the petitioner and the learned Government Pleader.

4. In the facts and circumstances of the case and in the nature of the limited relief prayed for by the petitioner in the writ petition, there will be a

direction, directing the second respondent to consider Ext.P3 stay petition with notice to the petitioner. Ext.P3 stay petition shall be disposed of within a period of three weeks from the date of receipt of a certified copy of this judgment. The second respondent shall also endeavor to dispose of the appeal expeditiously, thereafter. Till such time, the stay petition is disposed of. There will be stay of Ext.P4 revenue recovery demand notice. This writ petition is disposed of accordingly.