

[3213]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

(SPECIAL ORIGINAL JURISDICTION)

TUESDAY, THE TWENTY FOURTH DAY OF MARCH,
TWO THOUSAND AND TWENTY

: PRESENT:

THE HONOURABLE THE CHIEF JUSTICE JITENDRA KUMAR MAHESHWAR

AND

THE HONOURABLE SRI JUSTICE NINALA JAYASURYA



WRIT PETITION No. 21274 of 2019

Between :-

Singan Projects Limited, Flat No.408, A-Block Gandhi Tower, Sunkesula Road Kurnool -
518 002 Rep. by its Managing Director . Singanamala Murahari Krishna, S/o. Late S.
Subbaiah ..Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Commercial Tax Department Secretariat, Velagapudi, Guntur District, Andhra Pradesh.
2. The Commissioner, Commercial taxes department D.No.5-59, R. K. Spring Valley Apartments, Bandar Road, Eedupugullu Village, Kankipadu Mandal, Vijaywada Andhra Pradesh.
3. The Deputy Commissioner (CT), Near Indus School, Pandipadu (Vi) Dhone Road, Kurnool -518 002.
4. The Commercial Tax Officer, (Audit) Circle No.II, Kurnool Division Near Indus School, Pandipadu (Vi), Dhone Road, Kurnool -518 002.
5. The Executive Officer, Sri Bhramarambammallikarjuna Swamy Devasthanam (Srisailam Devasthanam), Srisailam - 518 101, Kurnool District.

..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 any order, direction or writ more particularly one in the nature of Writ of Certiorari to call for the records and declare the actions of the Respondents 2 and 3 in issuing the Impugned Letter dated 04.12.2019 issued Under Section 29 of A.P. VAT Act, 2005 as illegal, arbitrary, contrary to the provisions of the VAT Act and consequently quash and set aside the Impugned Proceedings dated 04.12.2019.

I.A No. 1 of 2019 :-

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of W.P., the High Court may be pleased to suspend the operation of the Impugned Letter dated 04.12.2019 thereby stay all further recovery proceedings pending the disposal of W.P.No.21274 of 2019, on the file of the High Court.

The Petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court dated 27-01-2020 and 10-03-2020 and upon hearing the arguments of M/S. PILLIX LAW FIRM, Advocates for the Petitioner and of the Govt. Pleader for Commercial Taxes on behalf of respondent Nos. 1 to 4 and of Sri G. Ramana Rao-SC on behalf of respondent No.5, the Court made the following.

ORDER :-

"This case is listed for extension of the interim order passed earlier.

In the present circumstances, the interim order passed earlier is extended for a period of three weeks from today.

It is experienced in these days that the cases, in which stay has been granted for a limited period, are falling for consideration during the tenure of the limited functioning of the Courts and the parties/Advocates are insisting the Registry to list those cases for extension of stay.

However, looking to the present situation of locking down of the boundaries of the Districts as well as the States, we are of the considered opinion that in the matters, in which stay expires a week prior to today up to 14.04.2020, shall be treated to be extended for a period of three weeks from the date of expiry.

In view of the aforesaid, further orders regarding extension of stay are not required in individual cases as stay would remain extended for a period of three weeks from the date of expiry."

Sd/- E. KAMESWARA RAO
ASSISTANT REGISTRAR

//TRUE COPY//


FOR ASSISTANT REGISTRAR

To

1. Two CCs to the G.P. for Commercial Tax, High Court of A.P., (OUT)
2. One CC to M/s. Pillix Law Firm, Advocates (OPUC)
3. One CC to Sri G. Ramana Rao, Standing Counsel (OPUC)
4. Two spare copies.