O/C

FORM APP 406

APPLICATION FOR STAY OF COLLECTION OF DISPUTED TAX
[Under Section 31(2) & 33(6)] [See Rule 39(1)]

Date	Month	Year
	06	2013

01. Appeal Office Address:
To,
The Addl. Commissioner (CT) Legal
O/o the Commissioner of Commercial Taxes,
Nampally, Hyderabad

02	TIN	28842098894

03. Name M/s. Mehta & Modi Homes
Address: No.5-4-187/3 & 4, IInd Floor, Soham Mansion
M.G. Road, Secunderabad - 500 003.

04.	Tax period	2009-10 to 2012-13 (Upto September'2012)/VAT
05.	Authority passing the order or proceeding disputed.	Stay rejection order dated 19/06/2013 passed by the Appellate Dy. Commissioner (CT), Punjagutta Division, Hyderabad.
06	Date on which the order or proceeding was Communicated.	25/06/2013
07.	(1) (a) Tax assessed	Rs.44,85,000/-
	(b) Tax disputed	Rs.44,85,000/-
	(2) Penalty / ~~Interest~~ disputed	NIL
08	Amount for which stay is being sought	Rs.39,24,375/-
09.	Address to which the communications may be sent to the applicant.	M.Ramachandra Murthy Chartered Accountant Partner, N. Saibaba & Company H.No.3-6-520. Opp.: to KFC, Himayathnagar Main Road, Hyderabad Tel.:30878935/36 Email.mrc_murthy@yahoo.com

Signature ~~of the Dealer~~(s)

Signature of the Authorised Representatives if any

10. GROUNDS OF REVISION

1.) The appellant submits that substantial question of facts and law arise in the appeal.

2.) The appellant will be hard hit if it is called upon to pay this heavy amount of tax pending disposal of the appeal.

3.) The Appellate Dy. Commissioner (CT), has not properly considered all the grounds of appeal and arbitrarily dismissed the stay petition filed before him. The main appeal is pending for disposal.

4.) The grounds that are stated in the main appeal may kindly be read as grounds of this application.

Hence it is just and necessary that the Addl. Commissioner (CT) Legal may be pleased to grant stay of collection of the balance disputed tax of Rs.39,24,375/- pending disposal of the appeal.

VERIFICATION

I ______________________________ applicant (s) do hereby declare that what is

stated above is true to the best of my / our knowledge and belief.

Verified today the ________ day of June'2013

Signature of the Dealer(s)

Signature of the Authorised Representatives if any

D/C

FORM APP 400

FORM OF APPEAL UNDER SECTION 31

[See Rule 38(2)(a)]

1.	Appeal Office Address	:The Appellate Dy. Commissioner(CT) Punjagutta Division, Hyderabad
2.	TIN/GRN	:28842098894
3.	Name & Address	: M/s.Mehta & Modi Homes D.No.5-4-187/3 & 4, IInd Floor, Soham Mansion, M.G. Road, Secunderabad – 500 003.
4.	I wish to appeal the following decision / assessment received from the tax office on	: 29/04/2013
5.	Date of filing of appeal	: /05/2013
6.	Reasons for delay (if applicable enclose a separate sheet	: Not Applicable
7.	Tax Period / Tax Periods	: 2009-10, 2010-11, 2011-12 & 2012-13(upto January'2013)/VAT
8.	Tax Office decision / assessment Order No.	: Penalty order in Form VAT 203 dated 29/04/2013 passed by Commercial Tax Officer (INT) Begumpet Division, Hyderabad.
9.	Grounds of the appeal (use separate sheet if space is insufficient	: Separately Enclosed
10.	If turnover is disputed	
	a) Disputed turnover	: NIL
	b) Tax on the disputed turnover	: NIL
	If rate of tax is disputed	
	a) Turnover involved	: NIL
	b) Amount of tax disputed	: NIL
11.	12.5% of the above disputed tax paid	: Rs.56,063/-

Note: Any other relief claimed

: 1) To set aside the demand raised on account of Penalty of Rs.4,48,500/-

2) Other grounds that may be urged at the time of hearing.

(The payment particulars are to be enclosed if ready paid along with the reasons on Form APP 400A)

12. Payment Details:

a)Challan / Instrument No.	:	
b)Date	:	
c)Bank / Treasury	:	-----
d)Branch Code	:	-----
e)Amount	:	-----
TOTAL	:	

Declaration:

I, Soham Modi ______ hereby declare that the information provided on this form to the best of my knowledge is true and accurate.

Signature of the Appellant & Stamp

Date of declaration

Name :
Designation :

Please Note: A false declaration is an offence.

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DECLARATION

[See under Section 31(1)] [Rule38 (2)(d)]

FORM APP 400A

TIN / GRN	28842098894

Date	Month	Year
10	MAY	2013

From
M/s. Mehta & Modi Homes
D.No. 5-4-187/3 & 4, IInd Floor
Soham Mansion, M.G.Road,
Secunderabad

To
The Appellate Deputy Commissioner (CT)
Punjagutta Division
Hyderabad

I/We ______________________ S/o, ___________________________ appellant named in the appeal preferred herein as **M/s. Mehta & Modi Homes** (Dealer/Firm Name) with TIN/GRN **28842098894** hereby declare that

* the tax admitted to be due, or of such instalments as have been granted and the payment of 12.5% of the difference of tax assessed by the authority have been paid, for the relevant tax period in respect of which the appeal is preferred, the details of which are given below.

* no arrears are due from me for the relevant tax period for which appeal is preferred due to the reasons:

12.5% Disputed Penalty: Rs.56,063/-

Total Tax Paid:	
a) Cheque/DD particulars	Number 256 Date 7/5/13 Bank HDFC Bank Branch: Secunderabad
b) Cash Particulars:	Receipt No: __________ Date: __________
c) Challan particulars:	Challan No: __________ Date __________ Name of the Treasury __________

Signature
Status and relationship to the dealer

(* Strike off which is not applicable)