

D/C

FORM APP 406

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

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

Date Month Year

	06	2013
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02	TIN	28842098894
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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 • (b) Tax disputed (2) Penalty / Interest disputed	Rs.44,85,000/- Rs.44,85,000/- 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

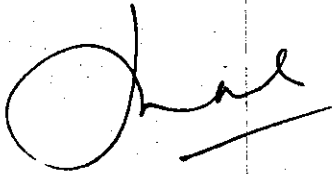
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FORM APP 400
FORM OF APPEAL UNDER SECTION 31
[See Rule 38(2)(a)]

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.



DECLARATION
[See under Section 31(1)] [Rule 38 (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
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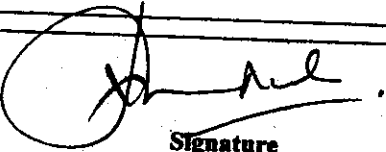
I/We _____ S/o, _____ appellant named in the appeal preferred herein as **M/s. Mehta & Modi Homes** (Dealer/Firm Name) with TIN/GRN **28842098894** hereby declare that

* 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 <u>256</u> Date <u>7/5/13</u> Bank <u>HDFC Bank</u> Branch: <u>Secunderabad</u>
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)

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