

M.RAMACHANDRA MURTHY
CHARTERED ACCOUNTANT

Flat No.303, ASHOKA SCINTILLA
H.No.3-6-520, Opp. To KFC,
Himayathnagar Main Road,
Hyderabad -500 029
Tel.:040-30878935 / 36

To,
The Appellate Dy. Commissioner (CT)
Punjagutta Division
Hyderabad.

Date: April 18, 2013

Sir,

Sub:- Filing the appeal in the case of M/s. **Mehta & Modi Homes, M.G.Road,
Secunderabad** - For the years 2009-10, 10-11 & 11-12 & 12-13/VAT- reg.

Please find enclosed herewith the following appeal papers:

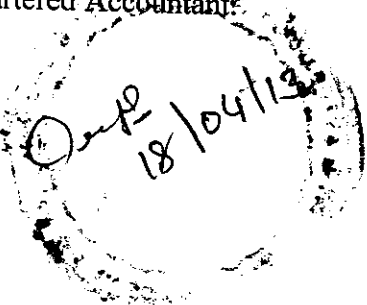
1. Form -APP 400 2 copies.
2. Grounds of Appeal 2 copies.
3. Challan bearing No. 103832 dt.18/04/2013 for Rs.1,000/- towards appeal fees.
4. Assessment of Value Added Tax in Form VAT 305 order passed by the Commercial Tax Officer (INT.), Begumpet Division Hyderabad dated 19-03-2013 (in original) along with Xerox copy.
5. Copy of acknowledgement letter relating to proof of payment of 12.5% disputed Tax.
6. Form APP 400A
7. Form APP 406 2 copies.
8. Form -565 (Authorization).

Kindly acknowledge receipt of the above documents and post the appeal for hearing.

Thanking you,

Yours sincerely,

M.Ramachandra Murthy,
Chartered Accountant



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

01. Appeal Office Address:
To
The Appellate Dy. Commissioner (CT)
Punjagutta Division, Hyderabad

Date Month Year

18	04	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, 2010-11, 2011-12 and 2012-13/VAT
05.	Authority passing the order or proceeding disputed.	Assessment of Value Added Tax in Form (VAT 305) order dated 19/03/2013 passed by Commercial Tax Officer (INT), Begumpet Division, Hyderabad.
06.	Date on which the order or proceeding was Communicated.	19/03/2013
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 STAY

- 1.) Substantial question of facts and law that may 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 grounds that are stated in the main appeal may kindly be read as grounds of this appeal.

Hence it is just and necessary that the Appellate Dy. Commissioner(CT) 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 M. Jaya Prakash, Manager (F&A) applicant (s) do hereby declare that what is stated above is true to the best of my / our knowledge and belief.

Verified today the 18 day of April'2013

*


Signature of the Dealer(s)

Signature of the Authorised Representatives if any

DECLARATION

[See under Section 31(1)] [Rule 38 (2)(d)]

FORM APP 400A

TIN / GRN	28842098894	Date	18	Month	APRIL	Year	2013
From M/s. Mehla & Modi Homes 17-G Road, Secunderabad		To The Appellate Deputy Commissioner (CT) Punjagutta Division Hyderabad					

I/We M Jaya Prakash S/o, M. Venkataiah appellant named in the appeal preferred herein as M/s Mehla & 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. 5,60,625/-

Total Tax Paid:	
a) Cheque/DD particulars	Number <u>915692</u> Date <u>9/4/13</u> Bank <u>HDFC</u> Branch: <u>S.D. Road, Hyderabad</u>
b) Cash Particulars:	Receipt No: _____ Date: _____
c) Challan particulars:	Challan No: _____ Date: _____ Name of the Treasury _____

M. J. P.
Signature

Status and relationship to the dealer

(* Strike off which is not applicable)

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

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To
The Appellate Dy. Commissioner (CT)
Punjagutta Division, Hyderabad

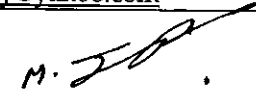
Date Month Year

18	04	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.

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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

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Signature of the Dealer(s)

Signature of the Authorised Representatives if any

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Hence it is just and necessary that the Appellate Dy. Commissioner(CT) 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 M. Jayaprakash - Manager (F&A) applicant (s) do hereby declare that what is stated above is true to the best of my / our knowledge and belief.

Verified today the 18 day of April'2013

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Signature of the Dealer(s)

Signature of the Authorised Representatives if any

DECLARATION

FORM APP 400A

[See under Section 31(1)] [Rule 38 (2)(d)]

TIN / GRN	28842098894	Date	18	Month	APRIL	Year	2013
From M/s. <u>Mehra & Modi Homes</u> <u>M.G. Road, Secunderabad</u>		To The Appellate Deputy Commissioner (CT) Punjagutta Division Hyderabad					

I/We M. Jaya Prakash S/o, M. Venkataiah appellant named in the appeal preferred herein as M/s Mehra & 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.

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M. S. P.
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Status and relationship to the dealer

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