

HIGH COURT FOR THE STATE OF TELANGANA, AT HYDERABAD

FRIDAY, THE NINETEENTH DAY OF DECEMBER,

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE P.SAM KOSHY

AND

THE HONOURABLE SRI JUSTICE SUDDALA CHALAPATHI RAO

WRIT PETITION NO: 39095 OF 2025

Between:

M/s. Padmavati Enterprises, rep. by its Proprietor, Mr. Sachin Makhariya, #4-2-173/6, Cinema Road, Ambedkar Chowik, Adilabad-504 001.

...Petitioner

AND

1. Deputy Commercial Tax Officer, Adilabad Division, Adilabad.
2. Joint Commissioner (ST), Adilabad Division, Adilabad.
3. State of Telangana, rep. by its Principal Secretary to Government, Revenue (CT-II) Department, Telangana Secretariat, Hyderabad.

...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 a Writ of Mandamus or any other appropriate writ or order or direction to set-aside the impugned order 2nd Respondent dated 26.8.2025 for the tax period 2014-15 under the VAT Act, 2005 and consequential order of the Commercial Tax Officer, Adilabad Circle, Adilabad, dated 30.8.2025 levying tax @14.5% on the sale of mobile phones as being illegal, arbitrary and contrary to provisions of the Act.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant stay of all further proceedings pursuant to the impugned order of 2nd Respondent dated 26.8.2025 and consequential order of the Commercial Tax Officer, Adilabad Circle, Adilabad, dated 30.8.2025 for the tax period 2014-15 under the VAT Act, 2005,, Pending disposal of WP 39095 of 2025, 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 upon hearing the arguments of M/s, K UMA Advocate for the Petitioner and Special Govt Pleader for State Tax Advocate for the Respondent Nos.1 to 3 and the Court made the following.

ORDER:

Mr.Swaroop Oorilla, learned Special Government Pleader for the State Tax, accepts notice on behalf of the respondents and prays for time to file counter-affidavit.

As prayed for, post this case on 17.02.2026.

Meanwhile, considering the fact that similar petitions have already been entertained by this Court and interim stay has also been granted, there shall be interim stay of the impugned order, till the next date of hearing.

**Sd/- REKHA RANI
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. Deputy Commercial Tax Officer,, Adilabad Division, Adilabad. (by RPAD)
2. Joint Commissioner (ST),, Adilabad Division, Adilabad. (by RPAD)
3. State of Telangana,, rep. by its Principal Secretary to Government, Revenue (CT-II) Department, Telangana Secretariat, Hyderabad. (by RPAD)
4. One CC to M/s. K UMA Advocate [OPUC]
5. One CC to Special Govt Pleader for State Tax, High Court at Hyderabad[OUT]
6. One spare copy

HIGH COURT

PSKJ
&
SCRJ

DATED:19/12/2025

POST ON 17.02.2026

ORDER



WP.No.39095 of 2025

INTERIM STAY