



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.11093 of 2025

M/s.Kumar Taria

....

Petitioner

Mr. Prabodha Chandra Nayak, Advocate

-versus-

The Commissioner of Commercial

....

Opposite Parties

Taxes (C.T.) and Goods & Service

Tax (G.S.T), Cuttack and others

Mr. D. Das, Additional Standing Counsel

CORAM:

THE HON'BLE THE CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE MURAHARI SRI RAMAN

ORDER

01.05.2025

Order No.

01. This matter is taken up through Hybrid mode.
2. Mr. Nayak, learned advocate appears on behalf of petitioner and submits that the petitioner is aggrieved by order dated 18th June, 2024 made by the First Appellate Authority. He wants to appeal therefrom to the Tribunal but it has not yet been constituted. In the circumstances, the assessee and the department were complying with directions made on **order dated 16th February, 2024** by the First Division Bench in a batch of writ petitions, lead case being **WP(C) no.42015 of 2023 (M/s. Maa Tarini Traders v. State of Odisha and others)**.
3. The directions included requiring the assessee to deposit 10% of the disputed amount of tax on filing the appeal and further 20% of remaining disputed tax, for the impugned order to be stayed.
4. He submits, his client is up against State revenue. There was notification dated 16th August, 2024 made by Central revenue reducing latter deposit to 10%. Now, State revenue has correspondingly notified



on 29th October, 2024. In the circumstances, the writ petition may be disposed of as covered by order dated 16th February, 2024 (supra) with modification for deposit of 10% of remaining disputed tax for impugned order to remain stayed.

5. Mr. Das, learned advocate, Additional Standing Counsel appears on behalf of State Revenue.

6. We accept submission made on behalf of petitioner regarding corresponding notification reducing requirement of the deposit to 10% of disputed tax for impugned first appellate order to remain stayed. The deposit be made within four weeks accordingly.

7. List this matter on 23rd June, 2025 along with W.P.(C) No.9822 of 2025.

(Harish Tandon)
Chief Justice

(M.S. Raman)
Judge

MRS/Laxmikant