

Precedent No. 84

**AFFIDAVIT: BEFORE THE SALES-TAX TRIBUNAL -FOR STAY OF DISPUTED
TAX**

BEFORE THE HON'BLE MEMBER - TRIBUNAL,.....

Ref: In the case of M/s, Assessment Year.....

AFFIDAVIT

I, S/o, aged about years, presently
residing in.....

I, the abovenamed deponent, do hereby solemnly affirm and state as under:

1. That the deponent is the proprietor of the firm abovenamed and fully conversant with the facts deposed below.
2. That in the assessment year under consideration, the Sales-tax Officer has bitterly rejected the account books of the deponent and assessed to tax as under:

(a) Admitted turnover	Rs..
(b) Assessed turnover	Rs..
(c) Disputed turnover	Rs..
(d) Admitted-Tax	Rs..
(e) Assessed-Tax	Rs..
(f) Disputed-Tax	Rs..
3. That the learned STO has not considered the reply to show-cause, submitted by the deponent at the time of hearing and the learned Assistant Commissioner (Judicial) has also not considered the same whereas this was one of the grounds of 1 st Appeal.
4. That the learned STO has rejected the books of accounts on the basis of survey report of and the learned ACJ has also relied on the same.
5. That the learned ACJ has not mentioned about the survey report and argument of the counsel on the point.
6. That previous history of the deponent is neat and clean.
7. That the accounts of the firm were always accepted in the past and also in subsequent years.
8. That the deponent has maintained proper accounts consisting of case book ledger, stock book, daily manufacturing account and sales and purchase vouchers.

9. That the deponent takes actual stock on 31st March, every year. The same procedure was followed in stock-taking in the assessment year under consideration.
10. That the disputed-tax is Rs, which is very heavy for the deponent to deposit because the financial position of the deponent is very weak.
11. That deponent has full hope that this Hon'ble Court will admit the account and allow the appeal.
12. That on the point stated above, the deponent prays to this Hon'ble Court to waive the condition of depositing 1/3rd of the disputed-tax and grant the stay for full amount of the disputed-tax being Rs

Sd./

Deponent.

VERIFICATION

Verified aton this theday of 20that the contents of the above affidavit are true and correct to the best of my knowledge, belief and information and nothing material has been concealed therefrom.

Sd./

Deponent.

Solemnly affirmed and signed before me by the deponent, who is personally known to me, on this theday of, 20

Sd./

Notary.