IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4992 of 2015

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M/s BEBL-ROYAL (JV) a joint venture company having its Registered Office situated at Godrej Waterside Building Tower No. I, 4th Floor No. 401, DP Block, Salt Lake, Sector - V, Kolkata - 700091, though its Authorized Signatory Dhananjay Kumar. Son of Late Kamdeo Sharma. Resident of Plot No. C-69, Police Colony, Anishabad, P.S.- Gardanibagh, District - Patna.............................. Petitioner

Versus

1. The State of Bihar through the Principal Secretary cum Commissioner of Commercial Taxes, Vikash Bhavan, Bailey Road, Patna.
2. The Deputy Commissioner of Commercial Taxes, Patna Central Circle, Patna.
3. M/s IRCON International Limited (a Government of India undertaking) Registered Office Situated at Plot No. C-4, District - Centre, Saket, New Delhi - 110017.
4. The General Manager, IRCON INTERNATIONAL LIMITED, Ganga Rail-cum-Road Bridge Project, Sone Bhawan, (First Floor) Daroga Prasad Rai Path, Patna - 800001.
5. The Deputy General Manager (Finance), IRCON INTERNATIONAL LIMITED, Ganga Rail-cum-Road Bridge Project, Sone Bhawan, (First Floor) Daroga Prasad Rai Path, Patna - 800001.................. Respondents

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Appearance :

For the Petitioner/s : Mr. S.D. Sanjay, Senior Advocate
Mr. Alok Kumar Agrawal, Advocate
For the State : Mr. Sandeep Kumar, GA.8
For IRCON International: Mr. D.V. Pathy
Mrs. Manju Jha.

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
and
HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA)

2 08-04-2015 Heard learned counsel for the petitioner and learned counsel for the State as also learned counsel for the IRCON International Ltd.

The petitioner has earlier approached this Court by filing C.W.J.C.No.14692 of 2014, which was disposed of as withdrawn upon learned counsel for the petitioner after arguing the petition at length stating that the petitioner shall approach the respondent Nos. 2 and 3, the employer, in the subject matter and therefore, he sought leave to withdraw the writ petition, which leave was granted.

From the order dated 17.09.2014 of this Court passed in C.W.J.C. No.14692 of 2014, it is evident that no liberty was granted to the petitioner to approach this Court again.

In the above circumstances, the present writ application for the same relief is not maintainable.

It is, accordingly, dismissed as not maintainable.

At this stage, learned counsel for the petitioner submits that huge amount would be due to the petitioner on account of deduction of tax at source and the petitioner can only get refund of the same, if the assessments are completed expeditiously.

Let the petitioner approach the Assessing Officer, who shall ensure that the assessment of the petitioner should be completed within a period of two months from the date of receipt/production of a copy of this order subject to the petitioner co-operating in the matter.

V.P.Sinha/-

(Ramesh Kumar Datta, J)

(Anjana Mishra, J)

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