

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6338 of 2015

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Food Corporation Of India a Government of India undertaking having its
Regional Office at Arunachal Bhawan, Exhibition Road, Patna through its
Assistant General Manager (Taxation)

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary-cum-
Commissioner, Department of Commercial Taxes, Government of
Bihar, Patna.
2. The Deputy Commissioner of Commercial Taxes, Patliputra Circle,
Patna
3. The Assistant Commissioner of Commercial Taxes, Patliputra Circle,
Patna

.... Respondent/s

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with

Civil Writ Jurisdiction Case No.6349 of 2015

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Food Corporation Of India a Government of India undertaking having its
Regional Office at Arunachal Bhawan, Exhibition Road, Patna through its
Assistant General Manager (Taxation)

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary-cum-
Commissioner, Department of Commercial Taxes, Government of
Bihar, Patna.
2. The Deputy Commissioner of Commercial Taxes, Patliputra Circle,
Patna
3. The Assistant Commissioner of Commercial Taxes, Patliputra Circle,
Patna

.... Respondent/s

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Appearance :

(In CWJC No.6338 of 2015)

For the Petitioner/s : Mr. Gautam Kumar Kejriwal

For the Respondent/s : Mr. Vikash Kumar, A.C. to PAAG

(In CWJC No.6349 of 2015)

For the Petitioner/s : Mr. Gautam Kumar Kejriwal

For the Respondent/s : Mr. Vikash Kumar, A.C. to PAAG

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**CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR
DATTA**

and

HONOURABLE MR. JUSTICE AMARESH KUMAR LAL

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA)

4 22-07-2015

Heard learned counsel for the petitioners in both the cases and learned counsel for the State.

Admittedly, the petitioner has already deposited the demanded tax, which is involved in C.W.J.C. No.6338 of 2015.

The petitioner has statutory alternative remedy of appeal available to it.

In the aforesaid circumstances, both the writ applications are disposed of with a liberty to the petitioner to file an appeal before the statutory Appellate Authority, who shall consider and dispose of the same in accordance with law.

It is made clear that we have not looked into the merits of the matter. In case the petitioner files an appeal within a period of four weeks from today along with an application for condonation of delay in filling the same, then the Appellate Authority shall consider the same keeping in view the fact that the petitioner has been pursuing its remedy before this Court.

(Ramesh Kumar Datta, J)

V.P.Sinha/-

(Amaresh Kumar Lal, J)

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