

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22519 of 2014

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Vishwanath Prasad S/O Late Dina Nath Ram Keshari Resident of Village-
Kamamapur, P.S.- Shahpur, Dist.- Bhojpur (Ara).

.... Petitioner/s

Versus

1. The State of Bihar
2. Principal Secreatary cum State Transport Commissioner Govt. of Bihar,
Patna, Vishweshwariya Bhawan, Bailey Road, Patna.
3. District Transport Officer, Bhojpur, Ara.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shiopujan Singh
Mr. Mukesh Kumar

For the State : Mr. Ashok Kr. Pathak, AC to GP XI

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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)

3 09-04-2015 Learned counsel for the petitioner is permitted to

add the Officer on Special Duty, Transport Department, Bihar,

Patna as party respondent no. 4 to the writ application in the

course of the day.

Heard learned counsel for the petitioner and

learned counsel for the State.

In the counter affidavit filed on behalf of the

District Transport Officer, Bhojpur, Ara it is stated that the

District Transport Officer, Bhojpur, Ara had earlier by his letter

dated 5.5.2014 sent his recommendation to the State Transport

Commissioner for refund of the amount of Rs. 61,400/- to the

petitioner which has been paid excess in connection with road tax and additional tax by the petitioner for the period from 17.7.2002 to 16.4.2006 with regard to his Mini Bus bearing registration No. BR-3A/6311. Thereafter the District Transport Officer was directed to verify and authenticate the calculation chart which after due verification was done and again a letter dated 25.1.2015 has been sent to the competent authority for refund of tax of Rs. 61,400/-. It is submitted that it is for the Officer on Special Duty, Transport Department, Bihar to take further steps in the matter.

In the aforesaid circumstances, the writ application is disposed of with a direction to the respondent nos. 2 and 4 to consider and dispose of the claim of the petitioner including refund of the payable amount on the basis of the report made by the District Transport Officer, Bhojpur, Ara within a period of two months from the date of receipt/production of a copy of this order and in case any part of the claim of the petitioner is rejected, the same must be done by a speaking order.

(Ramesh Kumar Datta, J)

S.Pandey/-

(Anjana Mishra, J)

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