

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13905 of 2015

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Associated Carrying Company Private Limited

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Mohan

For the Respondent/s : Mr. Purnendu Singh GP-27

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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 02-09-2015

Heard learned counsel for the petitioner and

learned Government Pleader No. 27 for the State.

The petitioner seeks quashing of the order dated 18.8.2015 passed under Section 60(4)(b) read with Section 56 (4)(b) of the Bihar Value Added Tax Act. 2005 by the Assistant Commissioner, Commercial Taxes, integrated check post-Karamnasha and the consequential demand notice for Rs. 13,86,500/- as also for a direction to release the truck.

It is not in dispute that the order dated 18.8.2015 is amenable to an appeal under the Act. In the said circumstances, the writ application is disposed of with liberty to the petitioner to file an appeal before the competent authority against the said order.

However, if the petitioner furnishes Bank Guarantee of Rs. 13,86,500/- before the Respondent No.3, the truck along with the goods loaded upon it shall be forthwith released.

(Ramesh Kumar Datta, J)

(Anjana Mishra, J)

S.Pandey/-

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