

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.578 of 2015

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M/s Fedex Express Transportation and Supply Chain Services (India) Pvt. Ltd. having its registered office at Boomerang, Unit No.801, Wing-A & B-1, 8th Floor, Chandivali Farm Road, Andheri (East), Mumbai-400072 through its local office at A-1, Opposite Maa Vaishnavi Cement Store, Near Ramkrishna Public School, Mohala-Budha Colony, Patna-1 through its authorized officer and Operations Management Specialist Team Leader Sri Santosh Kumar, son of Ravindrza Kumar Sinha, resident of Ram Krishna Nagar, Soranpur, New Bye-pass Road, P.S. Ram Krishna Nagar, District-Patna.

.... Petitioner/s

Versus

- 1.The State of Bihar through the Principal Secretary-cum-Commissioner, Department of Commercial Taxes, New Secretariat, Patna.
2. The Deputy Commissioner, Commercial Taxes, Patna North Circle, Patna
3. Commercial Taxes Officer, Patna North Circle, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mrigank Mauli
Mr. Samis Kumar
Mr. Sanket

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

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA)

6 03-08-2015 Learned counsel for the State submits that in view of paragraph No.8 of the supplementary counter affidavit filed on behalf of respondent No.2 that the petitioner has filed various documents before this Court which were never produced before the answering respondents, the respondents do not object to pass the order of remand and the matter be heard by the assessing authority.

In the aforesaid circumstances, the order dated 25.11.2014

is quashed and the matter is remanded to respondent No.3 to consider and dispose of the same after giving reasonable opportunity of hearing to the petitioner.

It is made clear that no further notice shall be required to be issued to the petitioner and the petitioner shall appear on its own on 17.08.2015 at 11 A.M. before the respondent No.3 along with its documents who shall proceed to consider and dispose of the matter in accordance with law.

The writ application is, accordingly, disposed of with the aforesaid observations and directions.

(Ramesh Kumar Datta, J)

V.P.Sinha/-

(Sudhir Singh, J)

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