

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3937 of 2016

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Dhillon Freight Carrier, a proprietary concern having its office at 6, Ram Lochan Mallick Street, PO and PS Jorasanko, Kolkata and Branch Office at Opposite Sharma Motors, Hajiganj, P.O. + P.S. Patna City, District- Patna through its authorized signatory, Suresh Prasad, son of Late Ramjanam Prasad, resident of Salimpur Ahra, Dwarka Lane, P.O. Kadamkuan, P.S. Gandhi Maidan, District- Patna

.... Petitioner/s

Versus

- 1.The State of Bihar through Commissioner of Commercial Taxes, Bihar having its office at Vikas Bhawan, Bailey Road, Patna
- 2.Deputy Commissioner of Commercial Taxes, Investigation Bureau, Tirhut Division, Muzaffarpur
- 3.Commercial Taxes Officer, Investigation Bureau, Tirhut Division, Muzaffarpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. D.V.Pathy
Mrs. Manju Jha

For the State : Mr. Ranjeet Kumar

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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)

2 25-02-2016 Heard learned counsel for the petitioner and learned counsel for the State.

Learned counsel for the petitioner at the outset submits that he would be confining the prayer for release of transport vehicle being truck No. UP 21AN 6664 along with the goods laden thereon and so far as the challenge to the impugned order dated 15.01.2016 is concerned, he seeks liberty to take recourse to his statutory remedy in the matter.

In view of the aforesaid submission, the writ application is disposed of with a liberty to the petitioner to take recourse to the statutory remedies against the impugned order dated 15.01.2016.

It is further directed that in the event of the petitioner furnishing bank guarantee of Rs. 7,05,041.00 before the respondent no. 2, Deputy Commissioner of Commercial Taxes, the respondent shall ensure that the vehicle along with the goods laden thereon is released forthwith.

Learned counsel for the State shall inform the respondent No. 2 about this order so that the vehicle along with the goods laden thereon shall be released forthwith without insisting upon a certified copy of this order.

(Ramesh Kumar Datta, J)

S.Pandey/-

(Sudhir Singh, J)

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