

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4507 of 2016

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M/s Daya Engineering Works Pvt. Ltd. through its Dy. General Manager,
Mr. Praveen Kumar Mishra, son of Badrinath Mishra, aged 40 years,
resident of Manpur, Gaya, Bihar; Post Office - Manpur, Police Station –
Manpur; District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar through the Commissioner Commercial Taxes, Bihar,
Patna, Vikas Bhawan, Bailey Road, Patna.
2. The Joint Commissioner of Commercial Taxes, Appeal, Gaya Circle,
Kachari Road, Gaya.
3. The Dy. Commissioner of Commercial Taxes, Gaya Circle, Kachari
Road, Gaya.
4. The Assistant Commissioner of Commercial Taxes, Gaya Circle,
Kachari Road, Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Singh, Sr. Advocate.
Mr. Prakash Sahay, Advocate.

For the Respondent/s : Mr. A.K. Rastogi, A.A.G. 15
Mr. Rakesh Narayan Singh, A.C. to A.A.G. 15

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

and

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

14 11-08-2016

After arguing for some time, learned counsel for the
petitioner wishes to withdraw the present writ application with
liberty to challenge the order dated 17th of November, 2014 passed
by the Joint Commissioner (Appeal), Commercial Taxes, Magadh
Division, Gaya as per the remedy provided under the Bihar Value
Added Tax Act, 2005.

In view of the request made, the writ application is
dismissed as withdrawn with liberty aforesaid. However, the grant

of liberty shall not be construed as any expression of the opinion on the merits of the controversy. As and when the petitioner avails the alternative remedy, the same shall be considered and decided in accordance with law.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

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