

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16831 of 2016

=====

M/s Varuna Integrated Logistic Pvt. Ltd. Incorporated under the Companies Act having its corporate office at Plot No.619 Rangpuri, P.O. Mahipalpur Extension New Delhi 110037, registered office at Shahjahanpur Road, Shyamganj Barailly (U.P.) through its Assistant Manager Employee of the Company as General Attorney Mahesh Kumar son of Late Nahan Singh Permanent resident of Pali, P.S.- Mahendragarh, District Mahendragarh (Haryana) presently residing at Plot No. 619 Rangpuri P.O. Mahipalpur, New Delhi.

.... Petitioner/s

Versus

1. The State of Bihar through the Commissioner of Commercial Taxes Bihar, Patna, its office at Vikash Bhawan, Bailey Road, Patna.
2. The Joint Commissioner of Commercial Taxes, Magadh Division, Gaya.
3. The Deputy Commissioner of Commercial Taxes, Integrated Check Post, Dobhi.
4. The Assistant Commissioner, Commercial Taxes, Integrated Check Post, Dobhi, Gaya.
5. The Commercial Tax Officer, Integrated Check Post, Dobhi, Gaya.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Akhilesh Kumar, Advocate
For the Respondent/s : Mr. Vivek Prasad, GP 7

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

and

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 06-10-2016

Heard learned counsel for the petitioner and the State.

2. Challenge in the present writ application is to an order dated 22.09.2016 imposing Rs.95,160/- as penalty for not carrying proper documents for transporting consignment of petitioner M/S. Varuna Integrated Logistic Pvt. Ltd., Plot No.619 Rangpuri, P.O. Mahipalpur Extension, New Delhi 110037.

3. Learned counsel for the petitioner states that on deposit of the amount of penalty, the truck may be ordered to be

released along with the goods and that the petitioner shall avail the remedy of appeal against the order impugned passed by the Deputy Commissioner of Commercial Taxes, Integrated Check Post, Dobhi, Gaya.

4. Learned counsel for the respondents has no objection to such a course being taken.

5. In that view of the matter, Truck No. NL01Q-2505 along with the seized goods is directed to be released in favour of the petitioner on furnishing Bank Guarantee of Rs.95,160/-. The petitioner shall also be at liberty to avail remedy of appeal against the order impugned dated 22.09.2016 passed by the Deputy Commissioner of Commercial Taxes, Integrated Check Post, Dobhi, Gaya.

6. With the above observation/direction, this writ application is disposed of.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

Anjani/P.Kumar

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	06.10.2016
Transmission Date	06.10.2016