

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18264 of 2016

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Century Global Logistics Pvt. Ltd. having its registered office at 10, Phears Lane, Kolkata- 700012 (West Bengal) through its one of the Director Devendra Goyal Son of Late Mahavir Goyal, resident of 547 A, Western Avenue, Land No.- W 23, Sainik Farms, New Delhi- 110062.

.... Petitioner

Versus

1. The State of Bihar through the Commissioner-cum-Principal Secretary, Commercial Taxes Department, Bihar having its office at Vikash Bhawan, Bailey Road, Patna.

2. The Commercial Taxes Officer, Integrated Check Post, Dalkola, Purnea (Bihar).

.... Respondents

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Appearance :

For the Petitioner : Mr. Ramesh Kumar Agrawal,
Mr. Shive Kumar, Advocates

For the Respondents : Mr. Kumar Manish-SC 5

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 16-11-2016

Heard learned counsel for the petitioner and learned counsel for the State.

2. Petitioner is aggrieved against the order dated 24.10.2016 passed by the Respondent No. 2, the Commercial Taxes Officer, Integrated Check Post, Dalkola, Purnea (Bihar) whereby, he has imposed penalty under Section 60(4)(b) read with Section 56(4)(b) of the Bihar Value Added Tax Act, 2005 (hereinafter referred to as “the Act”).

3. Learned counsel for the petitioner submits that he may be given liberty to take recourse to his statutory remedies under the

Act and in the meantime, the transport vehicle along with the goods laden thereon may be directed to be released on production of Bank Guarantee to the extent of the penalty levied.

4. The writ application is, accordingly, disposed of with a direction that upon the petitioner furnishing Bank Guarantee for Rs. 6,82,560/-, the vehicle in question shall be released forthwith by the respondents.

5. Learned State Counsel is directed to inform the respondent-authorities about this order who shall ensure release of the vehicle No. RJ05GB-4307 along with the goods laden thereon without insisting upon a certified copy of the order.

(Hemant Gupta, ACJ)

(Vikash Jain, J)

B.T/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	18.11.2016
Transmission Date	N.A.