

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5962 of 2016

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M/s. Santosh Kumar Gupta, Village Tatpuwa, P.S. Shukhani, Anchal Thakurganj and District Kishanganj through its proprietor Santosh Kumar Gupta, son of Late Bhriugu Nath Gupta, resident of Hllcart Road, P.S. Siliguri and District Darjeeling

.... 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 Assistant Commissioner of Commercial Taxes, Kishanganj Circle, Kishanganj, District Kishanganj

.... Respondents

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Appearance :

For the Petitioner/s : Mr. R.K.Agrawal with Mr. Shive Kumar, Advocates

For the Respondent/s : Mr. Anil Kumar Sinha, G.A. 9 with Mr. Pawan Kumar, AC to G.A. 9

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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 01-04-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks quashing of the order dated 25.6.2015 passed by the Assistant Commissioner of Commercial Taxes, Kishanganj Circle, Kishanganj under Section 8 of the Bihar Tax On Entry of Goods into Local Area for Consumption, Use or Sale therein Act, 1993 read with Section 31 of the Bihar Value Added Tax Act, 2005 for the period 2013-14.

The said order is amenable to remedy of statutory appeal

and no jurisdictional issue has been raised by learned counsel for the petitioner in the matter.

In the aforesaid circumstances, the writ application is dismissed with liberty to the petitioner to avail of statutory remedy of appeal. In case such an appeal is filed within a period of two weeks from today then the appellate authority shall consider the same keeping in view the fact that a large number of similar matters of brick kiln pending in this Court have recently been dismissed.

(Ramesh Kumar Datta, J)

spal/-

(Sudhir Singh, J)

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