

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9211 of 2016

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Zinka Logistics Solution Pvt. Ltd., a company incorporated under the Companies Act. 1956 having its office at Feather Light Developers, 6th Floor, No. 17/1, Opposite Cessna Business Park, Kaverappa Layout, Kadubee, Sanahauli Beellandur, P.O. + P.S. Bellandur, Bagaluru (Karnataka) - 560103 through its Senior Executive Operation, Manoj Kumar Rai, son of Late Prem Chandra Rai, resident of 17, Girish Bose Road, P.O. Belur Math, P.S. Belur, District - Howrah.

.... Petitioner/s

Versus

1. State of Bihar through Commissioner of Commercial Taxes, Bihar having its office at Vikas Bhawan, Bailey Road, Patna.
2. Asstt. Commissioner of Commercial Taxes Integrated Check Post, Jalalpur, Gopalganj.
3. Commercial Taxes Officer Integrated Check Post, Jalalpur, Gopalganj.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. D.V.Pathy, Advocate.
Ms. Maya Jha, Advocate.

For the Respondent/s : Mr. Birju Prasad, GP-13
Mr. Ravi Kumari, AC to GP 13
Mr. Amresh, AC to GP 13
Mr. Ashok, AC to GP 13.

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA
and
HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 01-08-2016

The challenge in the present writ petition is to an order passed by the Commercial Taxes Officer, Integrated Check Post, Jalalpur, Gopalganj dated 23.05.2016 whereby an order was passed in exercise of power conferred under Sections 60(4)(b) and 56(4)(b) of

the Bihar Value Added Tax Act, 2005.

Admittedly, the petitioner had deposited amount of tax and penalty.

In view thereof, we refrain ourselves from examining the legality and validity of the said order in exercising of the writ jurisdiction of this Court and relegate the petitioner to avail statutory alternative remedy available under the Bihar Value Added Tax Act, 2005.

The writ petition is dismissed with liberty aforesaid.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

Sujit/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	03.08.2016
Transmission Date	