

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.4729 of 2014

IN

Civil Writ Jurisdiction Case No. 20698 of 2010

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1. Shri Mahavir Sthan Nyas Samiti through its Secretary Shri Kishore Kunal having its office at Mahavir Mandir, P.S.- Kotwali, District - Patna.

.... Petitioner/s

Versus

1. The Union of India through Mr. Ujjawal Chaudhary, the Principal Chief Commissioner, Income Tax, Patna.
2. Mr. Arvind Kumar, the Commissioner of Income Tax-1, Patna, Bihar.

.... Respondent/s

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA)

Date: 23-11-2016

Heard learned counsels for the parties.

The contempt application has been filed by the petitioner against the opposite party No.2 for willful disobedience of the interim order dated 22.12.2010 passed by this Court in CWJC No.20698 of 2010 on the ground that the order dated 27/29th March, 2014 passed under Section 263 of the Income Tax Act, 1961 by the said opposite party is in gross violation of the said order.

In our order passed today in the main writ application, we have examined the said issue. According to us, the action of the CIT-1, Patna does amount to overreaching the order of stay granted by this Court in view of certain directions issued to the assessing officer in his order dated 27/29.03.2014. Accordingly, we warn the opposite



party No.2 not to repeat such type of action in the future.

In view of the above, we do not wish to proceed further against the opposite party No.2 in the matter.

The contempt application is, accordingly, disposed of.

(Ramesh Kumar Datta, J)

V.P.Sinha/-

(Anjana Mishra, J)

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

