

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11030 of 2016

Along with
Interlocutory Application No.5916 of 2016

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Bihar State Hydroelectric Power Corporation Ltd. having its office at 2nd Floor, Sone Bhawan, Bir Chand Patel Path, R Block More, Patna - 800001 through its Chief Engineer, Sri Mani Sharma, Son of Late Jagdishwari Sharan, resident of Kumhrar, Nayatola Kankarbagh, P.O. Agamkuan, P.S. Agamkuan, District - Patna - 800026.

.... Petitioner/s

Versus

1. The State of Bihar through Commissioner of Commercial Taxes, Bihar having its office at Vikas Bhawan, Bailey Road, Patna.
2. Asstt. Commissioner of Commercial Taxes, West Circle, Patna.

.... Respondent/s

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With

Civil Writ Jurisdiction Case No.11077 of 2016

Along with
Interlocutory Application No.5913 of 2016

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Bihar State Hydroelectric Power Corporation Ltd. having its office at 2nd Floor, Sone Bhawan, Bir Chand Patel Path, R Block More, Patna - 800001 through its Chief Engineer, Sri Mani Sharma Son of Late Jagdishwari Sharan resident of Kumhrar, Nayatola Kankarbagh, P.O. Agamkuan, P.S. Agamkuan, District - Patna - 800026.

.... 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, West Circle, Patna.

.... Respondent/s

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With

Civil Writ Jurisdiction Case No.11090 of 2016

Along with
Interlocutory Application No.5914 of 2016

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Bihar State Hydroelectric Power Corporation Ltd. having its office at 2nd Floor, Sone Bhawan, Bir Chand Patel Path, R Block More, Patna - 800001 through its Chief Engineer, Sri Mani Sharma Son of Late Jagdishwari Sharan resident of Kumhrar, Nayatola Kankarbagh, P.O. Agamkuan, P.S. Agamkuan, District - Patna - 800026.

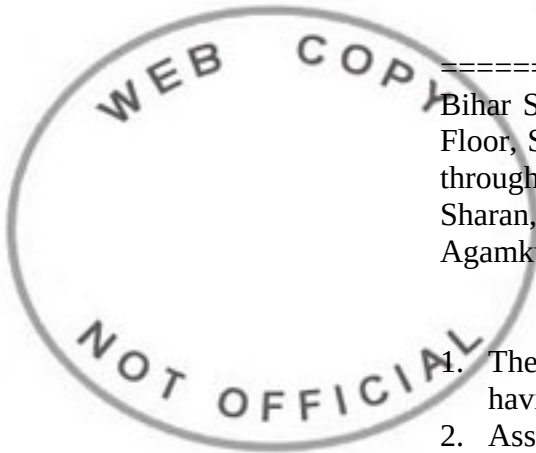
.... Petitioner/s

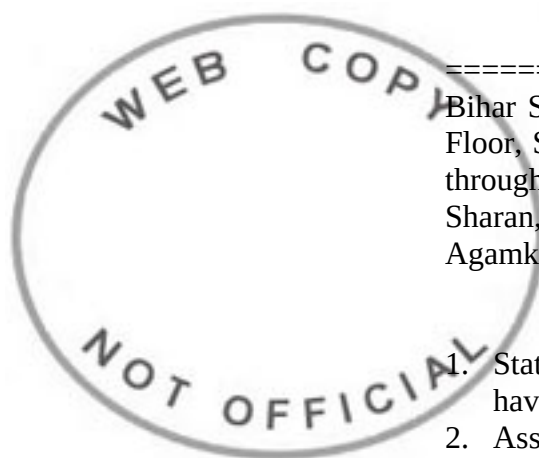
Versus

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, West Circle, Patna.

.... Respondent/s

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with
Civil Writ Jurisdiction Case No.11109 of 2016
Along with
Interlocutory Application No.5912 of 2016

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Bihar State Hydroelectric Power Corporation Ltd. having its office at 2nd Floor, Sone Bhawan, Bir Chand Patel Path, R Block More, Patna - 800001 through its Chief Engineer, Sri Mani Sharma, Son of Late Jagdishwari Sharan, resident of Kumhrar, Nayatola Kankarbagh, P.O. Agamkuan, P.S. Agamkuan, District - Patna - 800026.

.... 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, West Circle, Patna.

.... Respondent/s

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with
Civil Writ Jurisdiction Case No.11114 of 2016
Along with
Interlocutory Application No.5911 of 2016

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Bihar State Hydroelectric Power Corporation Ltd. having its office at 2nd Floor, Sone Bhawan, Bir Chand Patel Path, R Block More, Patna - 800001 through its Chief Engineer, Sri Mani Sharma Son of Late Jagdishwari Sharan, resident of Kumhrar, Nayatola Kankarbagh, P.O. Agamkuan, P.S. Agamkuan, District - Patna - 800026.

.... 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, West Circle, Patna.

.... Respondent/s

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With
Civil Writ Jurisdiction Case No.11248 of 2016
Along with
Interlocutory Application No.5915 of 2016

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Bihar State Hydroelectric Power Corporation Ltd. having it office at 2nd Floor, Sone Bhawan, Bir Chand Pate Path, R- Block More, Patna- 800001 through its Chief Engineer, Sri Mani Sharan, Son of Late Jagdishwari Sharan, resident of Kumhrar, Nayatola Kankarbagh P.O. Agamkuan P.S. Agamkuan, District- Patna-800026.

.... Petitioner/s

Versus

1. The State of Bihar through the Commissioner of Commercial Taxes, Bihar, Patna having its office at Vikash Bhawan, Bailey Road, Patna.
2. Assistant Commissioner of Commercial Taxes, West Circle, Patna.

.... Respondent/s

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Appearance :

(In the writ petitions)

For the Petitioner/s : Mr. D. V. Pathy, Advocate
Mrs. Manju Jha, Advocate
Mr. Rajib Ranjan, Advocate

For the Respondent/s : Mr. Anil Kr. Sinha- G.A.-9
Mr. Pawan Kumar, A.C. to G.A.-1

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

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

4 01-08-2016

Learned counsel for the petitioner wishes to withdraw the present writ petitions with liberty to file a fresh writ petition or petitions by incorporating challenge to the validity of Section 4A of the Bihar Electricity Duty Act, 1948 and corresponding Rule 11 of the Bihar Electricity Duty Rules, 1949 as is sought to be raised by the interlocutory applications.

The writ petitions are dismissed as withdrawn with liberty aforesaid.

(Hemant Gupta, J.)

(Ahsanuddin Amanullah, J.)

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