IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2889 of 2016

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M/s. Anik Bricks Salguri, P.S. - Thakurganj, District - Kishangaj through its Proprietor Upendra Kumar Singh, Son of Chandrama Singh, Resident of Village - Thakurganj, P.S. - Thakurganj, District - Kishanganj.

.... 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, Kishangaj Circle, Kishanganj, District - Kishanganj.
3. The Commercial Taxes Officer, Kishanganj Circle, Kishanganj, District - Kishanganj.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate
For the Respondent/s : Mr. Purnendu Singh, G.P. 27 with
Mr. Sanjay Kr. Tiwari, AC to GP 27

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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 15-02-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks quashing of the order dated 13.6.2015 for the period 2013-14 passed by the Commercial Taxes Officer, Kishanganj Circle. The order has been passed 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. Admittedly the petitioner has alternative statutory remedy available in the said matter.

The writ application is, accordingly, dismissed with liberty to the petitioner to take recourse to appropriate statutory remedies. In case the petitioner files an appeal along with an application for condonation of delay 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 were pending before this Court which have been recently disposed of.

(Ramesh Kumar Datta, J)

(Sudhir Singh, J)

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