

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10505 of 2016

=====

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

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, Karmnasha, Kaimur
3. Commercial Taxes Officer, Integrated Check Post, Karmnasha, Kaimur

.... Respondents

=====

Appearance :

For the Petitioner/s : Mr. D.V.Pathy
Mrs. Manju Jha, Advocates
For the State : Mr. Purnendu Singh, GP-27

=====

CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
and
HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA)

Date: 01-07-2016

Heard learned counsel for the petitioner and
learned counsel for the State.

Although the writ application has been filed for quashing of the order dated 19.04.2016 passed by the Respondent No.3, the Commercial Taxes Officer, Integrated Check Post, Karmnasha, Kaimur under Section 60(4) (b) read with Section 56(4)(b) of the Bihar Value Added Tax Act, 2005 imposing penalty upon the petitioner, but learned counsel for the petitioner in view of the availability of alternative remedy, confines the prayer to the



release of the vehicle along with the goods laden thereon.

The writ application is, accordingly, disposed of with liberty to the petitioner to avail its statutory remedy.

However, upon the petitioner furnishing Bank Guarantee of Rs. 9,05,290 before the Respondent No. 3, the vehicle along with the goods laden thereon shall be released forthwith.

Learned counsel for the State shall inform the Respondent No. 3 about this order so that the truck and the goods laden thereon shall be released without insisting upon the certified copy of this order.

(Ramesh Kumar Datta, J)

S.Pandey/-

(Sudhir Singh, J)

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	12.07.2016
Transmission Date	