

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10606 of 2016

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M/s Prakash Parcel Services Limited having its office at 56S, Mirza Galib Street Kolkata through its authorized representative Sri Kapildev Singh son of Sri Ram Parwesh Singh, resident of Maurya Vihar Colony, Transport Nagar, P.O. and P.S. Agamkuan, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary-cum-Commissioner of Commercial Taxes, Bihar, Patna having its office at Vikas Bhawan, New Secretariat, Patna.
2. The Commissioner of Commercial Taxes, Bihar, Patna, New Secretariat Bailey Road, Patna.
3. The Deputy Commissioner of Commercial Taxes, Integrated Check Post, Dobhi, Gaya.
4. The Commercial Taxes Officer, Integrated Check Post, Dobhi, Gaya.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gautam Kumar Kejriwal
Mr. Prabhu Chandra Agrawal

For the Respondent/s : Mr. Pawan Kumar, A.C. to G.A.9

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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 04-07-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks quashing of the order dated 23.06.2016 and consequent demand notice of the same date passed by respondent No.4, Commercial Taxes Officer, Integrated Check Post, Dobhi, Gaya, under Section 60 (4) (b) read with Section 56 (4) (b) of the Bihar Value Added Tax Act, 2005.

However, in view of the statutory remedy available to the petitioner in the matter, learned counsel for the petitioner confines

the writ application seeking release of the truck along with goods laden thereon on furnishing bank guarantee.

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

However, upon furnishing bank guarantee of Rs.6,59,910/- before the respondent No.4, Commercial Taxes Officer, Integrated Check Post, Dobhi, Gaya, the truck along with the goods laden thereon shall be released forthwith.

Learned counsel for the State shall inform the respondent No.4 about this order so that the release can be effected without waiting for sthe certified copy of this order.

(Ramesh Kumar Datta, J)

V.P.Sinha/-

(Sudhir Singh, J)

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