

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7542 of 2016

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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 Sanhali Bellandur, P.O.+P.S.Bellandur,Bengaluru (Karnataka)-560103 through its Senior Operation Executive, Rohit Kumar, son of Shri Uma Shankar, resident of 99, Sanjay Gandhi Nagar, Naubasta, P.O.Naubasta Galla Mandi, P.S. Naubasta, District-Kanpur.

.... Petitioner

Versus

1. The State of Bihar through Commissioner of Commercial Taxes, Bihar having its office at Vikas Bhawan, Bailey Road, Patna.
2. Assistant Commissioner of Commercial Taxes, Integrated Check Post, Karmnasha, Kaimur.

.... Respondents

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Appearance :

For the Petitioner : Mrs. Manju Jha

For the Respondents : Mr. Rakesh Prabhat, A.C. to S.C.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 27-04-2016 Learned counsel for the petitioner is permitted to correct the registration number of the seized truck in paragraph No.1(ii) of the writ petition in the course of the day to RJ 07 GB2571.

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

The writ application has been filed for quashing the order dated 18.03.2016 passed by respondent No.2 under Section 60 (4) (b) read with Section 56 (4) (b) of the Bihar Value Added Tax Act, 2005.

In the course of argument, learned counsel for the

petitioner confines the prayer only to release of the truck bearing Registration No.RJ 07 GB 2571 along with the goods laden thereon with liberty to take recourse to statutory remedy against the impugned order.

In the above circumstances, the writ application is disposed of with liberty to the petitioner to take recourse to appropriate statutory remedy against the impugned order dated 18.03.2016. However, on the petitioner furnishing bank guarantee for Rs.7,15,070/-, the truck along with the goods laden thereon shall be released forthwith by respondent No.2

Learned counsel for the State is directed to inform the respondent No.2 about this order so that the truck along with goods laden thereon can be released forthwith without insisting upon the certified copy of this order.

(Ramesh Kumar Datta, J)

V.P.Sinha/-

(Sudhir Singh, J)

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