

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15169 of 2016

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Suresh Singh Son of Sri Vindheyachal Singh, resident of Village- Dewapur, P.S.- Barauli, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar, through the Commissioner of Commercial Taxes.
2. The Commissioner of Commercial Taxes, Bihar Patna having its office at Vikas Bhawan, Patna.
3. The Deputy Commissioner of Commercial Taxes, Gopalganj Circle, Gopalganj.
4. The Secretary, Excise, Prohibition and Registration Department, having its office at Vikash Bhawan, Patna.
5. The Bihar State Beverage Corporation Limited, State of Bihar, having its office at Vidyut Bhawan, Patna.
6. The District Certificate Officer, Gopalganj.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 15173 of 2016

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Shambhu Singh Son of Bachcha Singh resident of ward no.-5, P.S. and District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar, through the Commissioner of Commercial Taxes.
2. The Commissioner of Commercial Taxes, Bihar Patna having its office at Vikas Bhawan, Patna.
3. The Deputy Commissioner Commercial Taxes, Gopalganj, Circle, Gopalganj.
4. The Secretary, Excise, Prohibition and Registration Department, having its office at Vikash Bhawan, Patna.
5. The Bihar State Beverage Corporation Limited, State of Bihar, having its Office at Vidyut, Bhawan, Patna.
6. The District Certificate Officer, Gopalganj.

... Respondent/s

with

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Civil Writ Jurisdiction Case No. 15210 of 2016

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Krishna Kant Singh Son of Sri Pramod Singh resident of village - Bhitbherwa, P.S. and District Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar through the Commissioner of Commercial Taxes.
2. The Commissioner of Commercial Taxes, Bihar, Patna having its office at Vikas Bhawan, Patna.
3. The Deputy Commissioner of Commercial Taxes, Gopalganj Circle, Gopalganj.
4. The Secretary, Excise, Prohibition and Registration Department, having its office at Vikash Bhawan, Patna.
5. The Bihar State Beverage Corporation limited, State of Bihar, having its office at Vidyut Bhawan, Patna.
6. The District Certificate Officer, Gopalganj.

.... Respondent/s



with

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Civil Writ Jurisdiction Case No. 15462 of 2016

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Purosttam Singh Son of Sri Kailash Pati Singh resident of Village Bhitbherwa, P.S.
and District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar, through the Commissioner of Commercial Taxes.
2. The Commissioner of Commercial Taxes, Bihar Patna having its office at Vikas Bhawan, Patna.
3. The Deputy Commissioner of Commercial Taxes, Gopalganj Circle, Gopalganj.
4. The Secretary, Excise, Prohibition and Registration Department having its office at Vikash Bhawan, Patna.
5. The Bihar State Beverage Corporation Limited, State of Bihar having its office at Vidyut Bhawan, Patna.
6. The District Certificate Officer, Gopalganj.

.... Respondent/s

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Appearance :

(In CWJC No.15169 of 2016)

For the Petitioner/s : Mr. Md. Anisur Rahman

For the Respondent/s : Mr. LALIT KISHORE- A.G

(In CWJC No.15173 of 2016)

For the Petitioner/s : Mr. Md. Anisur Rahman

For the Respondent/s : Mr. ANIL KR. SINHA- GA1

(In CWJC No.15210 of 2016)

For the Petitioner/s : Mr. Md. Anisur Rahman

For the Respondent/s : Mr. LALIT KISHORE-AG

(In CWJC No.15462 of 2016)

For the Petitioner/s : Mr. Md. Anisur Rahman

For the Respondent/s : Mr. VIVEK PRASAD-GP7

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 04-08-2017

Having heard learned counsel for the parties, we find that the issue in question stands concluded by decisions rendered by a coordinate Bench of this Court on 29.03.2016 in Civil Writ Jurisdiction Case No. 3400 of 2015, wherein identical demands made by the Commercial Taxes Department have been quashed and the matter was remitted back to the Commercial Taxes Officer for fresh



consideration.

Keeping in view the aforesaid, we dispose of the matters in identical terms. The impugned demands raised are quashed and the matter is remitted back to the Deputy Commissioner of Commercial Taxes, Gopalganj Circle, Gopalganj. The petitioners shall appear before the said officer along with the certified copy of this order and the detailed objections to the recovery on 30th of August, 2017 at 11:00 A.M and the Deputy Commissioner shall proceed with the matter afresh, in accordance with law, keeping in view the observations made on 29.03.2016 in Civil Writ Jurisdiction Case No. 3400 of 2015(M/s Chandrashekhar versus State of Bihar & Ors).

With the aforesaid, the applications stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	08/08/2017
Transmission Date	NA

