

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1738 of 2017

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1. M/s. Patil Rail Infrastructure Private Limited through its authorized signatory Mr. Ajay Jha, Sabalpur, Didarganj, Patna
 2. Ajay Kumar Jha, aged about 40 years, son of Sri Raj Kishore Jha, resident of Quarter No.1514, Sector-1B, Bokaro Steel City (Jharkhand)

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Finance, Patna, Bihar
2. The Assistant Commissioner of Commercial Tax, East Circle, Patna City, Patna
3. The Joint Commissioner of Commercial Taxes (Appeals), East Division, Patna
4. The Deputy Commissioner of Commercial Taxes, East Circle, Patna City, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bindhyachal Singh, Advocate
Mr. Utsav Kumar, Advocate
Mr. Ritesh Singh, Advocate
Mr. Saurabh Kumar, Advocate
Ms. Smriti Singh, Advocate

For the Respondent/s : Mr. Vikash Kumar, SC-11

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 03-02-2017

The grievance of the petitioner is that without deciding the application for stay in appeal filed against the order of assessment, the assessing authority has issued notice to the Bank for attachment of the bank accounts of the petitioner.

Mr. Vikash Kumar, learned State Counsel has pointed out that the appeal filed by the petitioner is incomplete as there is no statutory pre-deposit of the tax amount.

Mr. Bindhyachal Singh, learned counsel for the



petitioner, submits that an application for waiver of pre-deposit has been filed but he submits that the pre-deposit of the statutory amount shall be made within three days from today.

The present petition is disposed of with the liberty aforesaid.

If the deposit is made, the Appellate Authority shall consider the application for stay in accordance with law thereafter and for three days the Appellate Authority will not proceed with attachment of the bank account of the petitioner.

Writ application stands disposed of accordingly.

(Hemant Gupta, ACJ)

(Sudhir Singh, J)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	04.02.2017
Transmission Date	N/A

