

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1327 of 2015

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M/s Lall & Lall Enqicons Pvt. Ltd. 2nd Floor, Abhay Bhawan, Frazer Road, P.S.
Kotwali, District - Patna through its Managing Director Lallan Sharma

.... Petitioner/s

Versus

1. The Tax Recovery officer (Central), Range - 1, Patna
2. The Commissioner of Income Tax (Central), Patna

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Senior Advocate Mr. Lakshmi Kant Sharma, Advocate
For the intervenor	:	Mr. Pradeep Kumar, Advocate
For the Respondent/s	:	Mr. Archana Sinha @ Archana Shahi, Advocate Mr. Alok Kumar, Advocate Mrs. Shalini Bihari, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 08-08-2017

Against the action taken by the Department in the matter of fixation of rent, the statutory provision of the Bihar Buildings (Lease, Rent and Eviction) Control Act, 1982 (hereinafter referred to as 'the Act') is applicable and the learned counsel for the respondents- Department placing reliance on a communication received from the petitioner on 16.01.2015 makes statement that an appeal before the statutory appellate authority under the Act has been filed by the petitioner and, therefore, the statutory appellate authority may be directed to decide the appeal in accordance with law within a period of three months as has been done in various other cases, i.e. in CWJC



No.7089 of 2015 decided on 08.08.2017. In case, the appeal has not been filed, liberty is granted to the petitioner to file it within a period of thirty days. On the same being done, the appellate authority shall decide the same, but in any case, shall not dismiss the appeal on the ground of limitation etc. and decide it within three months on its presentation.

With the aforesaid, the matter stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11.08.2017
Transmission Date	

