

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1068 of 2018

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M/s. Ankur Carrier, having it's place of business at 1st Floor, Surya Prabha Mansion, Exhibition Road, Patna 1, through it's proprietor namely Shri Ram Ujagar Yadav son of Ramdev Yadav resident of 203A, Hari Om Apartment, Near Narmada Apartment, Exhibition Road, Patna 800001

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary-cum-Commissioner of Commercial Taxes, Bihar, Patna, having it's office at Vikas Bhawan, New Secretariat, Patna
 2. The Commissioner of Commercial Taxes, Bihar, Patna, New Secretariat, Bailey Road, Patna
 3. The Commercial Taxes Tribunal, Bihar, Patna Collectorate through it's Secretary
 4. The Deputy Commissioner of Commercial Taxes, Kadam Kuan Circle, Patna
 5. The Assistant Commissioner of Commercial Taxes, Kadam Kuan Circle, Patna
- Respondents

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Appearance :

For the Petitioner : M/S Gautam Kumar Kejriwal & Mohit
Agarwal, Advs.

For the Respondents : Mr. Vikash Kumar, SCXI

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 17-01-2018

Having heard learned counsel for the parties, we are of the considered view that interest of justice would be met in case coercive step for recovery of surety in question is kept in abeyance till appointment of Chairman, Commercial Taxes Tribunal, Bihar, Patna, and consideration of the application for stay, filed by the petitioner.

We are informed that the process of appointment of the Chairman is in progress and he will be appointed within a reasonable period of time.

In that view of the matter, we dispose off the matter



in the aforesaid direction and implementation of the Letter No. 7545 dated 02.01.2018, is stayed till the consideration of the matter before the Chairman of the Tribunal.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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