IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19157 of 2017

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Stay Narayan Prasad Jaiswal, Son of Late Misri Lal Jaiswal, resident of Village- Khutauna, P.S. Khutauna District Madhubani. (M/s Sarb Shiblock, Khutauna, Jhanjharpur Madhubani).

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary cum Commissioner of Commercial Tax Bihar Government, Patna.
3. The Chairman Commercial Tax Tribunal, Bihar, Patna.
4. The Joint Commissioner Commercial Tax Darbhanga Pramandal, Darbhanga.
5. The Assistant Commissioner Commercial Tax, Jhanjharpur Anchal, P.S. Jhanjharpur, District Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit

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

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 09-07-2018 This writ petition has been filed under Article 226 of the Constitution of India challenging an order passed by the Commercial Tax Tribunal, Bihar.

Against the order passed by the Tribunal under Section 79 of the Bihar Value Added Tax Act, 2005, an appeal is maintainable under Section 79 of the Act and, therefore, the writ petition directly before this Court is not permissible.

Petitioner is permitted to withdraw this writ petition with a liberty to file a fresh appeal after complying with the Patna

High Court Rules required for filing an appeal under Section 79 of the Act.

With the aforesaid liberty, the writ petition stands disposed of.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Arvind/-

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