

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5282 of 2015

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M/s Prasambi Design And Construction Private Limited, Office At-G-1, Prasambi Saryug Vihar, Gosai Tola, Patliputra Colony, P.S.- Patliputra, Patna- 800013 through its Director Dilip Narayan, S/o- Late Phuleshwar Prasad Yadav, R/o- House No.- 2/5, Vivekanad Park, South Patliputra Colony, District- Patna-800013

.... Petitioner/s

Versus

1. The Principal Chief Commissioner of Income Tax, Bihar and Jharkhand Region, Patna.
2. The Principal Commissioner of Income Tax-1, Patna.
3. The Asstt. Commissioner of Income Tax, Circle-2, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Mohan Mishra
For the Respondent/s	:	Mr. Archana Sinha @ Archana Shahi
		Senior Standing Counsel
		Mr. Sanjeev Kumar and Mr. Alok Kumar

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 16-02-2018

Challenging the prosecution launched by the Income Tax Department against the petitioner and the permission granted for prosecuting him on account of non-deposit of the income tax amounting to Rs.2,96,070/-. Sanction has been accorded under Section 276C(2) read with Section 278 B of the Income Tax Act and the matter is pending consideration before the trial court.

Against the order of the respondent authorities after considering the show cause filed by the petitioner whereby the prosecution was launched so also against the order passed rejecting



the petition for compounding of offence this writ petition.

Taking into consideration the totality of the circumstances at this stage when the matter is pending before the trial court, we see no reason to make any indulgence into the matter.

The writ petition is dismissed with liberty to the petitioner to move the court below for raising grievance and seeking exoneration in the pending trial.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

mr1/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	19.02.2018
Transmission Date	

