

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5796 of 2018

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Bihar Industrial Development Authority having its address at First Floor, Udyog Bhawan, East Ghandhi Maidan, Police Station-Gandhi Maidan, District-Patna, Bihar through its Senior Accounts Officer, Prakash Singh, son of late Ramji Singh, resident of Flat No.202, Sneh Vihar Apartment, Somya Sharma Path, Rukanpura, P.S. Rukanpura, Pata- 800 014, District-Patna.

... .. Petitioner/s

Versus

1. The Commissioner Of Income Tax (Exemption), Patna, 2nd Floor, Central Revenue Building, Bir Chand Patel Marg, Patna-800001.
2. The Assistant Commissioner of Income Tax (Exemption), Fourth Floor, Lok Nayak Jai Prakash Bhawan, Dak Bunglow Chowraha, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Lalit Kishore, Advocate General Mr. Ajay Kumar Rastogi, Advocate Mr. Smriti Singh, Advocate Mr. Parijat Saurav, Advocate
For the Respondent/s	:	Mrs. Archana Sinha @ Archana Shahi, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 29-03-2018 Having heard learned counsel for the parties, we are of the considered view that as the petitioner, a statutory undertaking owned by the Government of Bihar, has already filed an appeal before the statutory appellate authority and the question of stay is pending consideration before the statutory appellate authority, interim protection should be granted to the petitioner with regard to coercive recovery of the demand as contained in Annexure-1 to the writ petition.

Accordingly, we direct that till the appeal is not



decided or an order passed on the interlocutory application for stay by the statutory appellate authority, further action for recovery of the demand as contained in Annexure-1 shall be kept in abeyance.

With the aforesaid, the petition stands disposed of.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

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