

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5987 of 2018

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M/s SCI India Limited, D.N. Singh Road, Bhagalpur, through its Manager Pramod Kumar Tiwary, Son of Late Hridayand Tiwari, Resident of Road No. 15 E Rajiv Nagar, Patna.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary-cum-Commissioner of Commercial Taxes, Bihar Patna Having its office at Vikas Bhawan, New Secretariat, Patna, Department, Govt. of Bihar, Patna.
2. The Commissioner of Commercial Taxes, Bihar Patna New Secretariat Bailey Road, Patna.
3. The Commercial Taxes Tribunal Bihar Patna Collectorate Patna through its Secretary,
4. The Deputy Commissioner of Commercial Taxes, Bhagalpur Commercial Taxes Circle, Purnea.
5. The Assistant Commissioner of Commercial Taxes, Bhagalpur Commercial Taxes Circle, Patna.

.... Respondents

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Appearance:

For the Petitioner/s : Mr. Gautam Kumar Kejriwal,
Mr. Mohit Agrawal and
Mr. Alok Kumar Jha, Advocates.
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 JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 02-04-2018

Having heard learned counsel for the parties we direct that once the Commercial Taxes Tribunal, Bihar, Patna becomes operational and, as reported to us, it has been operational we request the Appellate Tribunal to consider and decide the appeal of the petitioner within sixty days from the date of receipt of a certified copy of this order.

On the petitioner maintaining a balance of Rs. 14,00,000/-



(Fourteen lakhs) consistently in the Bank Account in question till the decision of the appeal, the petitioner may be permitted to withdraw the amount over and over Rs. 14,00,000/- (Fourteen lakhs). The Bank shall ensure that the petitioner shall not withdraw anything without retaining Rs. 14,00,000/- (Fourteen lakhs) in his Bank A/c.

On the petitioner fulfilling the aforesaid condition of maintaining consistently his Bank A/C with a balance of Rs. 14,00,000/- (Fourteen lakhs), all other coercive actions and attachment shall be kept in abeyance.

With the aforesaid the application stands disposed of.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Dilip, AR

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	03.04.2018
Transmission Date	N/A

