

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10375 of 2019

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M/s North Eastern Carrying Corporation Ltd. Regional Office, S.P. Verma Road, Patna, Represented through Regional Manager, Jabbar Singh Shishodia Male, age about 59 years S/o Late Jaswant Singh, R/o S.P. Verma Road, P.S. Gandhi Maidan, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Through Commissioner of Commercial Taxes, Patna, Bihar.
2. Raiding Authority of the Commercial Taxes Bureau, Patna.
3. Deputy Commissioner of Commercial Taxes South Circle, Kankarbagh, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Shambhu Prasad, Advocate
For the Respondent/s : Mr.Vikash Kumar, SC 11

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

and

HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

Date : 15-05-2019

Heard learned counsel for the parties.

The complaint of the petitioner is that the order passed by the appellate authority in Appeal Case No. 4-5 of 2006-07 for the period 2005-06 has not been given effect to.

According to the petitioner, following the order of penalty, a penalty amount on account of alleged seizure to the tune of Rs.96,938/- was deposited by the petitioner but feeling aggrieved by such order the petitioner moved in appeal which has been allowed by the order aforementioned and which entitles the



petitioner to a refund but it is not forthcoming. Hence this writ petition.

Annexure-2 is the representation filed by the petitioner before the Deputy Commissioner of Commercial Taxes, South Circle, Kankarbagh, Patna explaining the situation.

For the present, we would only direct the Deputy Commissioner of Commercial Taxes, South Circle, Kankarbagh, Patna to dispose of the representation in accordance with law within a period of eight weeks of the receipt/production of a copy of this order and while issuing such direction we are conscious of the fact that the said representation is pending since 28.05.2008, i.e. eleven years.

With the direction above, the writ petition is allowed.

(Jyoti Saran, J)

(Anjani Kumar Sharan, J)

mrl./-

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

