

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5899 of 2017

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Naxalbari Himalayan Co-operative Transport Society Ltd, 42, M.G. Road,
Khalpara, Siliguri, District – Darzling W.B. through its Chairman, Samir
Chakrabarti.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Transport, Government of Bihar, Patna.
2. Joint Commissioner cum Secretary, Regional Transport Authority, Purnea.
3. The District Transport Officer -cum- Taxing Officer, Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Jha Randhir Kumar Singh
For the Respondent/s	:	Mr.Ajay Kumar Rastogi-AAG 10 Mr. Parijat Saurabh, AC to AAG 10

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
and
HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH)

2 08-01-2020 Heard learned counsels for the parties.

The present writ application has been filed for a direction to dispose of the Tax Appeal No. 3 of 2014 which was pending before the respondent no. 2, Joint Commissioner-cum-Secretary, Regional Transport Authority, Purnea since 2014 as the same was filed against the demand notice issued by the respondent no. 3, the District Transport Officer-cum-Taxing Officer, Purnea, whereby the petitioner has been directed to deposit a sum of Rs.3,13,750/- including penalty in respect of the bus of the petitioner as road tax and additional tax. The



prayer as stipulated in paragraph 1 of the writ application reads as follows:

“That this is an application for issuance of an appropriate writ, rule or direction particularly a writ in the nature mandamus commending the Respondent no 2 to dispose of the Tax Appeal No. 3 of 2014 which is pending for disposal for more than 3 years which has been filed against the demand notice issued by District Transport Officer-cum-Taxing Officer, Purnea (Respondent no 3) whereby and whereunder the petitioner has been directed to deposit a sum of Rs.3,13,750/- including penalty in respect of the Bus No bR-11A-6013 as a Road Tax and Additional Tax.”

Learned counsel for the petitioner submits that still the appeal of the petitioner has not been disposed of.

Learned counsel for the respondents submits that the appeal of the petitioner has been transferred from docket of Joint Commissioner-cum-Secretary, Regional Transport Authority, Purnea to the Joint Commissioner, Patna. However, the appeal will be disposed of by the appellate authority within a time frame.

Considering the fact that the appeal of the petitioner is pending since last about six years, it is expected from the



appellate authority, i.e., the Joint Commissioner-cum-Secretary, Regional Transport Authority, Patna to dispose of the appeal in accordance with law within a period of four weeks from the date of receipt/production of a copy of this order.

With the aforementioned observation/direction, this writ application stands disposed of.

(Dinesh Kumar Singh, J)

(Anil Kumar Sinha, J)

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