

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2386 of 2018

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M/s Sinha Communication Office at 8A, Main Road Kankarbagh, Patna- 20,
through its partner Sri Ashish Kumar Sinha, S/o Surendra Kumar Sinha, R/o-
Dalluchak, P.O.-Khagaul, District-Patna.

... .. Petitioner/s

Versus

1. The Union Of India through Secretary of Revenue, New Delhi.
2. The Chairman, Central Board of Direct Taxes, North Block, New Delhi.
3. The Principal Chief Commissioner of Income Tax, Revenue Building,
Birchand Patel Path, Patna.
4. The Commissioner of Income Tax to Birchand Patel Path, Patna.
5. The Joint Commissioner of Income Tax, Loknaya Bhawan Near
Dakbanglow, Patna.
6. The Income Tax Officer Ward No. 5(2) Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Mohan Mishra, Advocate Mr. Arjun Prasad, Advocate
For the Respondent/s	:	Mrs. Archana Sinha @ Shahi, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

6 27-08-2020 Petitioner has prayed for the following relief(s):

“(i) To issue appropriate writ of mandamus and or any other appropriate writ directing the respondent to issue refund of Rs. 3,83,720.00 and also delete the demand created for the AY 2007-08, 2008-09, 2009-10 and 2012-13 in view of the fact that the petitioner has already paid entire amount of tax admitted or assessed however due to wring and illegal entry made by the Assessing Officer the demand in question in standing in the account of income tax department and despite



request no action has been taken.

(ii) To hold and declare that the demand created for AY 2007-08, 2008-09, 2009-10 and 2012-13 is illegal and against the evidence available with the respondents as the demand for the said years have already been paid within the meaning of act but due to non-adjustment of the tax paid frivolous demand has been created which per se is illegal and unconstitutional.

(iii) To issue any other writ/writs, order/orders, direction/directions as your lordships deem fit and proper.”

Learned counsel for the petitioner fairly states that the present petition has become infructuous and seeks permission to withdraw the petition.

Prayer allowed.

The petition is dismissed as withdrawn as having become infructuous.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-

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