

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2978 of 2018

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M/s Arvind Enterprises Through Proprietor Gayanendra Kumar Son of Mr. Suchinta Prasad, Resident of Jalalpur, P.S. Rupaspur, P.O-Sahay Nagar, District-Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Commissioner of Commercial Taxes, Bihar, New Secretariat, Patna.
2. The Commissioner of Commercial Taxes, Bihar, New Secretariat, Patna
3. The Assistant Commissioner of Commercial Taxes, Danapur Circle, Danapur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Archana Sinha @ Archana Shahi
For the Respondent/s : Mr.Vikash Kumar- Sc11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 31-01-2020 Heard learned counsel for the petitioner and learned
counsel for the respondents.

Petitioner has prayed for the following reliefs:-

- “a) For issuance of writ of certiorari, quashing of assessment order dated 8.6.2017 and demand notice dated 31.7.2017 (Annexure-1 series) issued under Section 25 of VAT Act imposing tax of Rs. 36,71,427.00/- for the period 2015-16.
- b) For stay of the demand notice dated 31.7.17 because respondents are under process of attachment of Bank account no.



0973250020022 in United Bank of India, Jalapur Branch which is a cash credit account of the petitioner.

c) For any other consequential relief or reliefs for which the petitioner is found entitled during course of hearing of this writ petition."

Learned counsel for the petitioner seeks permission to take recourse to such remedies which are otherwise available in accordance with law, also reserving liberty to file a statutory appeal within a period of four weeks from today.

Sri Vikash Kumar, learned counsel for the respondents, states that if an appeal is preferred within a period of four weeks, the State shall not raise any objection regarding limitation, which shall not come in the way of adjudication of the appeal.

The writ petition is accordingly dismissed as withdrawn with the liberty aforesaid.

(Sanjay Karol, CJ)

(Mohit Kumar Shah, J)

Tiwary/-Ajay/-

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