

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.10670 of 2018**

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M/s Mrt. Signals Limited Through Managing Director Namely Mahendra Kumar Anchalia Son of Champa Lal Anchalia, 2, Raja Woodmunt Street, 3rd floor, P.S. Bara Bazar, Kolkatta- 700001 West Bengal.

... .. Petitioner/s

Versus

1. The East Central Railway Through The General Manager, East Central Railway, Hajipur
2. The General Manager, East Central Railway, Hajipur.
3. The Chief Signal and Telecom Engineer (Work), East Central Railway, Danapur.
4. The Dy. Chief Signal and Telecom Engineer (Con) ECR, Danapur.
5. The F.A and CAO (S) ECR, Hajipur.
6. The Dy. Chief Materials Manager, East Central Railway, Hajipur.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Shailendra Kumar Singh, Advocate  
For the Respondent/s : Mr. Bijoy Kumar Sinha, Advocate

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**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**and**  
**HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL JUDGMENT**  
**(Per: HONOURABLE THE CHIEF JUSTICE)**

**Date : 17-12-2020**

Petitioner has prayed for the following relief(s):

“For issuance of a writ of mandamus directing the respondent to make payment of illegal deducted Entry Tax amount of Rs. 39,83,357-00 from the petitioner account Bill on supply of materials against Tender no. 3006146008 dated 16.10.2014 and purchase order 06/14/6008/1/15398 dated 31.03.2015 and the petitioner further prays for direction to Respondent authorities for any other relief/reliefs for which the Hon’ble Court may deem fit and proper.”

After the matter was heard for some time, learned



counsel for the petitioner submits that petitioner shall be content if a direction is issued to the concerned respondents to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today enclosing the decision rendered by this Court in C.W.J.C. No. 544 of 2008, titled as Electrical Private Ltd. Vs. The Union of India & Ors., as also in C.W.J.C. No. 9546 of 2012, titled as M/S Param Enterprises (P) Ltd. Vs. The East Central Railways & Ors..

State cannot have any objection to the same.

As such, as prayed for, we dispose of the present petition with the following directions:

The petitioner shall file a representation before the respondent authority concerned, within a period of four weeks;

If the petitioner files a representation within the time indicated above, the concerned respondent authority is directed to consider and decide the representation in the light of judgments in the case of Electrical Private Ltd. and M/S Param Enterprises (P) Ltd. (supra) within a period of two months thereafter by a speaking order assigning reasons.

The proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e.



physical mode.

Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

Liberty reserved to the petitioner to approach the Court, if the need so arises subsequently on the same and subsequent cause of action.

We have not expressed any opinion on merits.

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, also stands disposed of.

**(Sanjay Karol, CJ)**

**( S. Kumar, J)**

K.C.Jha/-

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