

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21863 of 2018

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M/s Barhonia Engicon Pvt. Ltd. A Company registered under the Provisions of Companies Act, 1956 having its office at Chandrakanta Complex, Rajeev Nagar, Patna-200024 through its Director namely Surendra Prasad Singh, Son of Late Rajendra Prasad Singh, Resident of Chandrakanta Complex, Rajeev Nagar, Patna- 8000024.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary-cum-Commissioner, Commercial Taxes, Government of Bihar, Vikash Bhawan, Patna.
2. The Commissioner, Commercial Taxes Department, Government of Bihar, Vikas Bhawan, Patna.
3. The Deputy Commissioner of Commercial Taxes, Patna Central Circle, Patna.
4. The Assistant Commissioner of Commercial Taxes, Patna Central Circle, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dhanendra Chaubey, Advocate
For the Respondent/s : Mr. Vikash Kumar, SC-11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 21-12-2020

The petitioner has prayed for following relief(s):

“1(i) For issuance of writ in the nature of mandamus specially Respondent No. 4 to refund the amount to the tune of Rs. 53,25,609/- which has paid in excess and for which Form C-II has already been deposited by the petitioner for the tax liability under the Bihar VAT Act, 2005 for the period 2013-14 with statutory interest if any as the same has been not paid by the Respondents in spite of application filed by the



petitioner in statutory form till date.

(ii) For any other relief(s) for which petitioner is found entitled to in the facts and circumstances of the present case.”

Learned counsel for the petitioner states that the present petition has become infructuous, in as much as the amount now stands refunded and nothing is payable by the department to the petitioner. As such, he prays for withdrawal of the present petition.

Prayer allowed.

The present petition stands dismissed as withdrawn.

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/P.K.P/

AFR/NAFR	
CAV DATE	
Uploading Date	23.12.2020
Transmission Date	

