

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20207 of 2018

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Arun Kumar, Son of Late Ram Lakhan Sharma, Resident of 5/6 North Shri Krishanapuri, Behind Rajesh Petrol Station, P.S. Shri Krishnapuri, Patna-800013

... .. Petitioner/s

Versus

1. The Union Of India through the Cabinet Secretary, Government of India, North Block, New Delhi-110001.
2. The Goods and Service Tax Council through its Ex-Officio Secretary, GST Council Secretariat, 5th Floor, Tower-II, Jeevan Bharti Building, Janpath Road, Cannaught Place, New Delhi-110001.
3. The State of Bihar through the Chief Secretary, Govt. of Bihar, Old Secretariat, Patna-800015

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar (In Person)
For the Respondent/s : Mr. Vikash Kumar -SC 11

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-01-2020 Petitioner has prayed for the following relief(s):0

“For issuance of a writ of mandamus or any other appropriate writ/order/direction declaring/holding Article 279-A (5) and explanation to Article 246-A(2) of the Constitution of India to be unconstitutional and ultra vires as by the same a wholly unwarranted separate provision for levying Goods and Services Tax, hereinafter referred to as “GST”, upon petroleum crude, high speed diesel, motor spirit (petrol), natural gas and aviation turbine fuel, hereinafter collectively referred to as



“Petroleum Products”, without any fixed date for implementation has been made which allows respondents to continue with repealed Value Added Tax, hereinafter referred to as “VAT”, upon “Petroleum Products”, that too for indefinite period in conflict with “GST” simultaneously.”

Petitioner, who is appearing in person, seeks permission to withdraw the present petition with liberty to agitate the claim raised in this petition by filing a fresh writ petition instead of Public Interest Litigation.

The petition is accordingly disposed of with the liberty aforesaid.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

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