

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5484 of 2012

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Patliputra Builders Limited, its registered office at 3rd Floor, Maharaja Kameshwar Complex, Frazer Road, Patna and Incorporated Under India Companies Act - 1956 Through its Managing Director, Anil Kumar, Son Of Late Chathho Choudhary, Resident Of 3rd Floor, Maharaja Kameshwar Complex, Frazer Road, Patna

... .. Petitioner/s

Versus

1. The Director General Of Investigation Central Revenue Building, Bir Chand Patel Path, Patna.
2. The Commissioner Of Income Tax, Central, Central Revenue Building, Bir Chand Patel Path, Patna
3. Deputy Commissioner Of Income Tax, Central Circle-I, Annexy Building, Bir Chand Patel Path, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Krishna Mohan Mishra, Advocate, Mr. Prasoon Kumar, Advocate
For the Respondent/s	:	Smt. Archana Sinha, (Sr.Standing Counsel) Mr. Sanjeev Kumar (Jr. Standing Counsel)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 18-11-2021

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

“(A) To quash the garnishee/recovery proceeding and declare the attachment of bank account of the petitioner company as being arbitrary, unjustified being violative of Section 220(6) of the Income Tax Act, because, the Assessing Officer initiated garnishee proceeding without disposing of the stay petition filed by the petitioner dated 27.01.2012.

- (B) To stay the demand of Rs.10,63,98,190/- till disposal of appeal in view of the fact that whole of the re-assessment has been made on the basis of valuation report not upon any independent evidence available on record.
- (C) To issue any other writ/writs, direction/directions, order/orders as deem fit and proper.”

Learned counsel for the petitioner seeks permission to withdraw this petition stating that with the passage of time, the present petition has become infructuous, inasmuch as, the petitioner's grievance already stands redressed before an appropriate forum.

Prayer is allowed.

This petition is dismissed as withdrawn.

Interlocutory application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Rajiv/ranjan-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA