

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10567 of 2020

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Bihar Abhikaran Pvt Ltd Through its Authorised person Rakesh Kumar Gupta, aged about 54 years, Male, Son of Late Mahabir Prasad Gupta C/o Bihar Abhikaran Pvt Ltd Behind Hira Place Dakbanglow Road Patna 800001 P.S. Kotwali P.O. GPO, District Patna.

... .. Petitioner/s

Versus

1. The Principal Chief Commissioner of Income Tax Birchand Patel Marg, Patna.
2. The Commissioner of Income Tax I, Birchand Patel Marg, Patna.
3. The Commissioner of Income Tax TDS, Birchand Patel Marg, Patna.
4. The Income Tax Officer Ward 2 (1) LokNayak Bhawan, Dakbanglow Road Patna - 800001.
5. Deputy Commissioner of Income Tax, Income Tax department, CPC, Post Bag No1, Electronic City Post Office, Bangalore 560500.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Prakash Sahay, Advocate
For the Respondent/s	:	Mrs.Archana Sinha @ Archana Shahi, Sr.S.C.
		Mr. Alok Kumar, Jr.S.C.
		Mr. Sanjeev Kumar, Jr.S.C.

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 27-01-2021 Petitioner has prayed for the following relief(s):

“i. For issuance of an appropriate writ/order/direction in the nature of



certiorari/mandamus commanding upon the concerned respondents no. 3 and /or 4 to dispose of the application under section 154 of the Income Tax Act filed by this petitioner after considering the TDS 26AS and refund the amount as per law; And quash annexure 2 as the intimation order is without jurisdiction.

ii. For issuance of an appropriate writ/order/direction in the nature of certiorari/mandamus commanding upon the concerned respondents to refund the amount of Rs.239210 for the assessment year 2018-19 along with interest;

iii. For issuance of an appropriate writ/order/direction in the nature of certiorari/mandamus commanding upon the concerned respondents to consider instructions vide no F.No.275/03/2013-IT (B) and then pass an order;

iv. For any other relief or reliefs, to which the petitioner may be found entitled by this Hon'ble Court.”

Counter affidavit filed is taken on record.

In view of the averments made, learned counsel for the petitioner does not press the present application for the same having become infructuous and prays for permission to



withdraw the petition reserving liberty to approach the Court, if
the need so arises subsequently.

Prayer allowed.

Petition is disposed of with the aforesaid liberty.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-

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