

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11850 of 2021

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M/s. Brijnandan Singh, through its Partner Brijnandan Singh, aged about 61 years, Male, son of Late Mangru Singh, Resident of Village Lahthan, P.S. Agiaon Bazar, District Bhojpur, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
3. The Commissioner of State Tax (GST), Bihar, Patna.
4. The Commissioner, GST, Commissionerate, Patna - I Division - Patna West Range - Ara.
5. The ACCT, Patna West Circle - Sahabad, District Bhojpur, Bihar.
6. The Engineer in Chief (Head Quarters), Flood Control and Drainage, Water Resources Department, Government of Bihar, Patna.
7. The Chief Engineer, Flood Control and Drainage, Water Resources Department, Katihar, District Katihar, Bihar.
8. The Executive Engineer, Flood Control Division, Karha Gola, District Katihar, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prabhat Ranjan, Advocate

For the Respondent/s : Mr. Vivek Prasad, GP-7

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

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/Hon'ble Judges through Video Conferencing from their residential offices/residences. Also the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)



Date : 12-01-2022

Heard learned counsel for the parties.

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

“(i) Commanding upon the Respondents to refund/ release the amount of Rs. 4,90,92,000 (Rs. Four Crores Ninety Lacs Ninety Two Thousand only) along with the interest at the statutory rate which has been deposited by the petitioner under the heads of CGST at the rate of 6% and SGST at the rate of 6%) on the gross Bill value in connection with Agreement No. 01SBD/2017-18 executed for Protection Work of Village-Patthar Tola to Kamla Kani near u/s. Of Executive Engineer, Flood Control Division, Karha Gola.”

Mr. Prabhat Ranjan, learned counsel for the petitioner prays that the instant petition be disposed of exactly in the same terms as contained in judgment dated 05.07.2019 passed in **CWJC No. 1452 of 2019**, titled as **M/s Jai Bhawani Construction Vs. the Union of India & Ors.** along with other analogous cases.

No objection to such prayer being allowed.

As mutually agreed, the instant petition stands disposed of in terms of judgment dated 05.07.2019 passed in **CWJC No. 1452 of 2019**, titled as **M/s Jai Bhawani Construction Vs. the Union of India & Ors.** along with other



analogous cases and the directions contained therein shall also govern the instant case *mutatis mutandi*.

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

Let a copy of the judgment be placed on record.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/Amrendra

AFR/NAFR	
CAV DATE	
Uploading Date	18.01.2022
Transmission Date	

