

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13961 of 2021

Arvind Kumar Kaushik Son of Late Ram Padarath Pandey Resident of Gram-Belao, Post- Belao, Block- Barbigha, Police Station- Barbigha, District-Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Finance Department, Government of Bihar, Old Secretariat, Patna.
2. The Principal Secretary, Finance Department, Government of Bihar, Old Secretariat, Patna.
3. The Joint Commissioner of State Tax, Lakhisarai Circle, District Lakhisarai.
4. The Executive Engineer, Field Engineering Organization, Sheikhpura Division- Sheikhpura.
5. Asstt. Engineer, Local Area Engineer Organization, Division- Sheikhpura, Sheikhpura.
6. The Branch Manager, The State Bank of India, Barbigha Branch, Barbigha Sheikhpura.
7. Branch Manager, H.D.F.C. Bank, Sheikhpura.
8. Branch Manager, Canara Bank, Barbigha Sheikhpura.
9. Branch Manager, State Bank of India, Barbigha, Sheikhpura.
10. Branch Manager, Union Bank of India, Barbigha, Sheikhpura.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Subodh Kumar Sinha, Advocate
For Respondent No. 1 to 5:		Mr.Vikash Kumar (SC11)
For Respondent No. 6 & 9		Mr. Kaushlendra Kr. Sinha, Advocate
		Mr. Manu Tripurari, Advocate
For Respondent No. 7		Mr. Apurv Harsh, Advocate
For Respondent No. 8		Mr. Rajan Ghoshrave, Advocate
For Respondent No. 10		Mr. Nishi Nath Ojha, Advocate

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

(Per: HONOURABLE THE CHIEF JUSTICE)

2 17-08-2022 Petitioner has prayed for the following relief(s):

“1. For direction upon the respondent



No. 4 (Executive Engineer, Field Engineering Organization, Sheikhpura Division, Sheikhpura) to deposit a sum of Rs. 32,39,890/- in the office of Joint Commissioner of State Tax, Lakhisarai Circle, Lakhisarai, (Respondent No. 3) i.e. the amount, which has been deducted from the different bills of petitioner, which he has submitted for payment, on account of supply of goods, supplied to Executive Engineer, Field Engineering Organization, Sheikhpura Division, Sheikhpura (Respondent No. 4).

2. Petitioner further prays for direction upon the respondent Branch Managers, The State Bank of India, Barbiga Branch, Sheikhpura (Respondent No. 6), to remove the hold of Rs. 32,39,890/- from the account of the petitioner bearing A/c No. 00000036415209359, which has been made on the instructions issued by Joint Commissioner to State Tax, Lakhisarai Circle, Lakhisarai (Respondent No. 3) and also to Respondent Nos. 7 to 10 to remove the hold on the following a/cs which are kept on hold on the direction of the Respondent no.3:-

KAUSHIK TRADERS.

SL. No. BANK NAME BRANCH ADDRESS A/C NO.

1. STATE BANK OF INDIA BARBIGHA, 36566221736
SHEIKHPURA

2. UNION BANK OF INDIA BARBIGHA, 710001010050073
SHEIKHPURA

ARVIND KUMAR KAUSHIK

1. UNION BANK OF INDIA BARBIGHA, 710002010005520
SHEIKHPURA



2. UNION BANK OF INDIA BARBIGHA, 710001010050092
SHEIKHPURA
3. STATE BANK OF INDIA BARBIGHA, 36415209359
SHEIKHPURA
4. STATE BANK OF INDIA BARBIGHA, 11464159165
SHEIKHPURA
5. CANARA BANK BARBIGHA, 3348101000302
SHEIKHPURA
6. H.D.F.C. BANK BARBIGHA, 50100021700416
SHEIKHPURA

After the matter was heard for some time, finding the Court not in favour of the submissions made by the learned counsel for the petitioner, learned counsel for the petitioner, under instructions, states that the petitioner shall be content if the petitioner is permitted to withdraw the present petition, with liberty to prefer an appeal/initiate appropriate proceedings before the appropriate authority/forum and to take recourse to such other alternate remedies which are equally efficacious in law.

Prayer allowed.

The petition is disposed of as withdrawn with the liberty aforesaid.

If the petitioner were to file such an appeal within a period of four weeks, the same shall be decided in accordance with law expeditiously, preferably within a period of three months.



Liberty reserved to the petitioner to take recourse to such other remedies as are otherwise available in accordance with law.

It stands clarified that all issues of fact and law are left open to be agitated by the competent authority.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/DKS

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