

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12703 of 2022

1. The Union of India through the Chairman, Central Board of Indirect Taxes, North Block, New Delhi 110001.
2. The Chief Commissioner, Central Goods and Service Tax and Central Excise Ranchi Zone, Patna, 1st Floor, Central Revenue Building, Annexee Building, Veerchand Patel Marg, Patna 800001.
3. The Commissioner, Central Goods and Service Tax and Central Excise, Patna - I- 3rd, Floor, Central Revenue Building, Annexee Building, Veerchand Patel Marg, Patna - 800001.

... .. Petitioner/s

Versus

Siyawar Sharan Sahay @ S.S. Sahai Son of Nand Kishore Prasad, resident of House No. 117, Phase - 1, Near S B I Ashiyana Nagar, P.S. Rajeev Nagar, District - Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. (Dr.) K.N. Singh, A.S.G. Mr. Anshuman Singh, Sr. SC., CGST
For the Respondent/s	:	Mr.

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE RAJIV ROY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 01-09-2022

In the instant writ petition, petitioners have assailed the order of Tribunal dated 17.08.2021 passed in Misc. Application No. 382 of 2021. Petitioners' Misc. Application is relating to seeking extension of time-limit stipulated in the order dated 09.12.2020 to complete disciplinary proceedings within a period of three months to that of nine months. Such application should have been presented prior to 08.03.2021, the date on which three months is completed. On the other hand, M.A. No.



382 of 2001 is presented on 17.03.2021 which is beyond the time-limit stipulated by the Tribunal in O.A. No. 461 of 2020 dated 09.12.2020 and it was not maintainable. However, the Tribunal has not taken note of this lacuna and proceeded to pass order. Further, it is to be noticed that even the time-limit sought for extension to the extent of nine months in M.A. No. 382 of 2021 is also lapsed as on this day.

In the light of these facts and circumstances, M.A. No. 382 of 2021 is not maintainable, in the result order of the Tribunal passed in M.A. No. 382 of 2021 is set aside and present petition is rejected.

(P. B. Bajanthri, J)

(Rajiv Roy, J)

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AFR/NAFR	
CAV DATE	
Uploading Date	06.09.2022
Transmission Date	

