IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12035 of 2024

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Om Bricks a partnership firm through its partner Shri Kaushal Kumar Singh, aged about 64 years (Male), son of Late Ambika Naraian Singh @ Late Ambika Prasad Singh, resident of Village and P.O.-Kunda, P.S. and Dist.-Aurangabad, Bihar.

... ... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Road Construction Department, Bailey Road, Patna.
2. The Executive Engineer, Road Construction Department, ROAD Division, Kochas, Rohtas, Bihar.
3. The Branch Manager, Punjab National Bank, Maharajganj Road, Aurangabad, Bihar.
4. The Branch Manager, Punjab National Bank, Old G.T. Road, Aurangabad, Bihar.
5. The Branch Manager, State Bank of India, parishad Bazar, Ramesh Chowk, Aurangabad, Bihar.
6. The Union of India through the Finance Officer, National Projects Construction Corporation Limited, PMGSY Zone, 15, I.A.S. Colony, Kidwaipuri, Patna-1.
7. The Principal Commissioner, Income Tax (TDS) Bihar, Patna.

... ... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjeet Kumar Singh, Advocate
For the Bank	:	Mr.Anant Kumar Sharan, Advocate
		Mr.Prabhat Kumar Sharan, Advocate
		Mr.Hemant Kumar Sharan, Advocate
For SBI	:	Mr.Rakesh Kumar Singh, Advocate
For the State	:	Mr.Raghwanand, GA-11
		Mr.Pratik Kumar, AC to GA-11
For the UOI	:	Mr.Arun Kumar Satyamurti, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 20-08-2024 The question raised in the writ petition is of Tax Deducted at Source (TDS) having not been deposited with the Income Tax Department. However, there is absolutely no

evidence produced as to what is the amount deducted which has to be paid over to the Central Government. Even the assessment year in which the deductions were made is not mentioned in the writ petition.

2. The learned counsel submits that he would produce sufficient evidence for the same and he may be allowed to withdraw the writ petition with liberty to file a fresh writ petition.

3. We leave liberty, however, with just exception as to whether the petition under Article 226 of the Constitution of India would be maintainable or not.

4. The writ petition stands dismissed as withdrawn.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

Anushka/-

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