

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9177 of 2017

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M/s Colona Blenders and Bottlers India Pvt. Ltd. Son of late Madhusudan Prasad Bhagat, Resident of House No.5, Madhusudan Kunj, Basant Vihar Colony, P.S. Shree Krishnapuri Town and District Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Secretary cum Commissioner of Commercial Taxes, Bihar, Patna
2. The Joint Commissioner of Commercial Taxes, Appeal, Patna East Division, Patna.
3. THE Deputy Commissioner of Commercial of Taxes, Patnacity East Circle, Patna.
4. The Assistant Commissioner of Commercial Taxes, Patna City, East Circle, Patna.
5. The Deputy Commissioner, Department of Commercial Taxes, Patna City, East Circle, Patna.
6. . null null

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Agrawal
For the Respondent/s : Mr.Vikash Kumar- Sc11

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

(Per: HONOURABLE THE CHIEF JUSTICE)

2 31-01-2020 Heard learned counsel for the petitioner and learned
counsel for the respondents.

Petitioner has prayed for the following reliefs:-

“i) For a direction to the Respondents,
particularly, Respondent Nos. 3 and 4 to
unlock and extend the facility of Suvidha
(Declaration in Form No. D-X) under the
provisions of Bihar VAT Act & Rules or any



other appropriate form to facilitate / enable to transport the stock of India Made Foreign Liquor (IMFL for short) out of Bihar, in view of the limited permission granted by the Hon'ble Apex Court;

ii) For a direction to the Respondents not to create any hurdle in taking the stock of IMFL out of the State of Bihar as the stock has got no value in Bihar and it has been threatened to be destroyed by Respondent authorities of State Excise Department, Government of Bihar;

iii) For a direction to the Respondent, Excise Commissioner to not to take any action for destruction of the stock at least till 31.07.2017, in view of the extended deadline by the Hon'ble Apex Court for removal of the stock outside Bihar;

iv) For a declaration that the disputed demand of VAT for the period 2010-11 cannot be a ground for denying the Suvidha, i.e. Declaration in Form D-X or appropriate permission for transpiration of stock out of the State; and / or pass such other order or orders, direction or directions as Your Lordships may deem fit and proper in the facts and circumstances of the present case.”

The learned counsel for the petitioner seeks to withdraw



the writ petition for the reasons that it has become infructuous.

The writ petition stands disposed of as having become infructuous.

(Sanjay Karol, CJ)

(Mohit Kumar Shah, J)

Tiwary/-Ajay/-

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