(2008) 03 PAT CK 0019

In the Patna High Court

Case No : CWJC No''s. 16260 of 2007

Ram Pravesh Singh APPELLANT

Vs

The State of Bihar and Others RESPONDENT

Date of Decision : 04-03-2008

Acts Referred:

Citation : (2008) 3 PLJR 415

Hon'ble Judges : Chandramauli Kr. Pd., Acting C.J.;J.N. Singh, J

Bench : Division Bench

Advocate : Ram Balak Mahto, Badri Narayan Singh, Uma Kant Shukla, Randhir Kumar Singh, Sunil Kumar Gupta, Sheo Pujan Singh, Kumar Gaurav, Sanjay Kumar Pandey, Abhay Kumar Singh and Rajendra Kumar Jain, for the Appellant; Subhash Prasad Singh, Indeshwari Prasad Mandal, Rakesh Kumar, Lala S.N. Rai, Nilu Agarwal, Krishna Murari Prasad, Nirmala Kumari, Shail Kumari and Vasant Vikas, for the Respondent

Judgement

Prasad, A.C.J. & Singh, J.—After we have heard the matter for sometime, Mr. Ram Balak Mahto, Senior Advocate, Mr. Badri Narayan Singh, Mr. Uma Kant Shukla and other counsels representing the petitioners seek permission to withdraw the writ applications with liberty to the petitioners to seek redressal of their grievances before the State Government pointing out the anomalies in the rate of additional tax between the owners of the motor vehicles having 205" wheel base and those of between 114"-167" wheel base during the period 16th July, 2002 to 17th April, 2006 resulting from enactment of Bihar Motor Vehicles Taxation (Amendment) Act, 2002 (Bihar Act 6 of 2003). Further liberty sought for is to pray before the State Government to provide the benefits as given by notifications No. 2518 and 2520 dated 1.7.2004 with retrospective effect as also for waiver of the penalty in case it is held that they are liable to pay the additional tax. Needless to state that in case such prayers are made to the State Government within six weeks, it shall consider the same in accordance with law within six months from today.

2. Till the decision on the representations is taken, petitioners, as directed by the interim order dated 31.1.2008, shall pay road tax at the rate of Rs. 267/- per seat per quarter without any penalty for the period between 16.7.2002 and 17.4.2006.

3. On payment of tax and additional tax, as aforesaid, tax token shall be issued to the petitioners. All the writ applications are permitted to be withdrawn with liberty aforesaid.

