

M/s Nagar Parishad Phulwarisharif

Civil Writ Jurisdiction Case No.4089 of 2017

FORUM

Patna High Court

ORDER DATE

28 Mar 2017

NOTE TYPE

Source extract

01 CONCLUDING COURT PASSAGE - SOURCE EXTRACT

Keeping in view the totality of the circumstances and the fact that the petitioner is a statutory local authority, interest of justice requires that they should be granted one more opportunity of being heard and for laps of any omission on the part of some officer the Statutory Body should not suffer. Keeping in view the aforesaid, we allow this petition in part and dispose it of in the following manner:- The petitioner shall appear before the Assessing Officer or the competent authority of the department along with a certified copy of this order and submit all their objections with regard to the demands made along with all relevant documents on 10th of April, 2017 and on the same being done, the competent authority shall proceed to decide the matter in accordance with law after considering the objections and documents that may be filed by the petitioner. Needless to emphasize that if petitioner fails to avail of the opportunity granted and does not appear before the authority on the date fixed by this Court, the competent authority shall be free to proceed in the matter in accordance with law. Till hearing is not granted to the petitioner and a proper order is not passed or action as per law not taken, further recovery in pursuance to the impugned order/demand shall remain stayed and the attachment of the bank account of the petitioner shall stand released till decision in the matter afresh as directed by this Court. The Writ Petition is accordingly disposed of. P.K.P. (Sudhir Singh, J)

SOURCE & VERIFICATION

Supplied court copy / compilation pp. 157-159

READ ORDER

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