

Rural Works Department, Works Division Sasaram

Civil Writ Jurisdiction Case No.5392 of 2018

FORUM

Patna High Court

ORDER DATE

23 Mar 2018

NOTE TYPE

Source extract

01 CONCLUDING COURT PASSAGE - SOURCE EXTRACT

to the employees and the public at large. We do not appreciate the manner in which both the Departments have functioned. The petitioner department instead of approaching this Court should have taken up the issue through their Departmental Head with the Income Tax Department and thereafter tried to resolve the issue. The Income Tax Department also, in case it found that the Rural Works Department, namely the petitioner, has not deposited the tax in the correct form, should have taken up the issue with the higher authorities of the Rural Works Department or the State Government and tried to resolve the issue. Instead of doing so, the Income Tax Department took the most extreme coercive steps and the petitioner, therefore, approached this Court by filing writ petition. In doing so, not only the public money, but public time and various other adverse effect has been caused. In our considered view, this is a case where the Principal Chief Commissioner of the Income Tax Department and the Principal Secretary of the Rural Works Department should be directed to sit and resolve the issue in question and till then the bank account of the petitioner should be released. Accordingly, we allow this writ petition and issue the following directions: The Income Tax Department shall release the bank account of the petitioner forthwith within a period of 24 hours from today. Thereafter, the Principal Chief Commissioner of the Income Tax Department and the Principal Secretary of the Rural Works Department shall sit and resolve the issue and submit a report with regard to action taken to the Registrar General of this Court within 15 days from today. With the aforesaid, the writ petition stands allowed and disposed of.

SOURCE & VERIFICATION

Supplied court copy / compilation pp. 207-210

READ ORDER

AI DISCLOSURE

AI-assisted preparation: this document was generated with AI using the identified source and may contain extraction, interpretation or omission errors. It has not been independently approved by a practising professional. Verify every material statement against the complete original order.

PROFESSIONAL DISCLAIMER

General research information only; not legal or tax advice, a certified judgment, or a substitute for the full order. Applicability depends on the facts, assessment year, statutory version and jurisdiction. Subsequent appeals, stays, reversals and legislative changes have not been checked unless expressly stated. Downloading does not create a professional engagement. Obtain case-specific advice before reliance.