

Bihar Combined Entrance Competitive Examination Board

Civil Writ Jurisdiction Case No.2106 of 2016

FORUM

Patna High Court

ORDER DATE

16 Dec 2021

NOTE TYPE

Source extract

01 CONCLUDING COURT PASSAGE - SOURCE EXTRACT

9. After the matter was heard for some time, learned counsel for the parties were ad-idem that the matter can be remanded back to the authority for consideration afresh, by affording opportunity to the parties to place all material, enabling the authority to arrive at a decision in accordance with law. 10. We have no hesitation in acceding to such request. As such, dispose of the petition in the following terms: (a) The impugned order dated 29.12.2015 passed by Commissioner of Income Tax (Exemption), Patna is quashed and set aside; (b) The matter is remanded back to the appropriate/competent authority for consideration of the petitioner's application afresh; (c) The parties are directed to appear before the said authority on 03.01.2022 when a date shall be fixed, enabling the parties to place on record additional material; (d) Adequate opportunity of hearing shall be afforded with full compliance of principles of natural justice and the authority shall decide the matter afresh by passing a speaking order, copies whereof shall be supplied to the parties; (e) Proceedings can be got conducted through a digital mode, if so found necessary; (f) Liberty reserved to the parties to take recourse to such remedies, if so required and desired, as per law; (g) We only hope and expect the authority to decide the matter expeditiously and preferably within the current financial year and positively before 31st March, 2022; (h) All issues are left open. 11. The writ petition stands disposed of in the above terms. 12. Interlocutory Application, if any, shall stand disposed of. Sujit/Ashwini (S. Kumar, J)

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