

WPA 1363 OF 2019
+
CAN 1 OF 2019
(Old No. CAN 11295 of 2019)
+
CAN 2 of 2019
(Old No. CAN 11296 of 2019)

28.07.2023

Sl no. 14

Ct no. 2

P.M.

Jagat Singh Baid
- Vs -
Sales Tax Officer, Beadon Street Charge & Ors.

Mr. Sandip Choraria
... for the petitioner

Mr. Anirban Ray, Ld. Govt. Pleader
Md. T. M. Siddiqui,
Mr. T. Chakraborty
.... For the State

CAN 1 of 2019
(Old No. CAN 11295 of 2019)

This is an application for condonation of delay in filing the application for restoration/recalling of the order dated 9th April, 2019 dismissing the writ petition for default.

The explanation for delay in filing the restoration application, I find the same satisfactory and accordingly this application for condonation of delay being CAN 1 of 2019 (Old No. CAN 11295 of 2019) is disposed of by allowing the same.

CAN 2 of 2019
(Old No. CAN 11296 of 2019)

This is application for restoration/recalling of the order dated 9th April 2019 dismissing the writ petition for default. Considering the explanation given therein for non-appearance of learned advocate appearing for the petitioner at the time of hearing of the matter, I find that the same is satisfactory and accordingly this application being CAN 2 of 2019 is disposed of by allowing the same by recalling the order dated 9th April, 2019 and accordingly let the matter be restored to its original file and number.

WPA 1363 of 2019

This is an application for relief of direction upon the VAT authority concerned in allowing the petitioner to file 'Form 12A' in question relating to the relevant period which has been annexed to this writ petition and which according to the petitioner could not be produced before the adjudicating authority concerned or the appellate authority or the Board.

In the interest of justice and considering the bonafide difficulty in not producing the aforesaid 'Forms' in question at the relevant time this writ petition being WPA 1363 of 2019 is disposed of by

allowing the petitioner to file 'Form' in question annexed to this writ petition before the authority concerned within two weeks from date and the same shall be considered by the authority concerned after factual verification and allow the consequential benefit.

With this observation and direction this writ petition (WPA 1363 of 2019) and all connected applications stand disposed of.

(Md. Nizamuddin, J.)