

**15.12
2020**

With
IA No. CAN 1/ of 2020 (Old No. C.A.N. 4153 of 2020)
Vineet Kumar Poddar
-Versus-
State of West Bengal & Ors.

Mr. Arijit Chakraborty
Mr. Rajib Mallick
Mr. Rakesh Sarkar

Mr. Abhratosh Majumder, Ld. AAG
Mr. Md. T.M. Siddiqui
Mr. Debasish Ghosh **...For State Respondents**

This is an application under Article 226 of the Constitution of India wherein the writ petitioner is aggrieved by an order dated April 29, 2020 passed by the Deputy Commissioner of State Tax.

Mr. Abhratosh Majumder, learned Additional Advocate General appearing on behalf of the respondents has fairly submitted that the application dated May 22, 2020 made by the petitioner against the said order may be considered on merit by the appropriate Authority.

Mr. Arijit Chakraborty, learned Counsel appearing on behalf of the petitioner submits that he is agreeable to the same.

Accordingly, I direct the Deputy Commissioner, State Tax to grant an opportunity of hearing to the petitioner, and thereafter pass a reasoned order within a period of three weeks from the date on the application of the petitioner dated May 22, 2020.

The reasoned order shall also be communicated to petitioner within a week from the date of passing the reasoned order.

Furthermore, I make it clear that I have not gone into the merits of the case while passing the above order.

With the aforesaid observation, the writ petition is disposed of. Consequently the application, being IA No. CAN 1 of 2020 (C.A.N. 4153 of 2020) is also disposed of without passing any order.

Since, no affidavit-in-opposition has been called for, the allegations made in the writ petition are deemed to have not been admitted by the respondents.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities

(*Shekhar B. Saraf, J.*)