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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 607 of 2021

Bipad Taran Saha
Vs.
The State of West Bengal & Ors.

Mr. Krishnendu Sarkar,
Mr. Abhijit Mandal
... For the petitioner.

Mr. Jaytosh Majumdar, Ld. G.P.,
Mr. Raja Saha,
Mr. B. B. Basu Mallick
... For the State.

Affidavit of service filed in Court today is taken
on record.

The petitioner's only grievance ventilated in
the instant writ petition is that the statutory appeal
under section 8(3) of Bengal Excise Act, 1909
(hereinafter referred to as the said Act) filed on 26th
April, 2019, still remains unadjudicated.

After hearing the parties and considering
the materials on record, it appears that the writ
petition can be disposed of by directing the Appellate
Authority, under the provisions of section 8(3) of the
said Act, before whom the petitioner's appeal filed on
26th April, 2019 is said to be pending, to decide such
appeal in accordance with law after affording the
petitioner a reasonable opportunity of hearing and by
complying with the principles of natural justice. The

Appellate Authority shall dispose of the appeal by a reasoned order within 15th May, 2021, and communicate the order to be passed in the appeal immediately on the same be pronounced but not later than seven days from the date of passing of such order.

Nothing further remains to be adjudicated in the writ petition and the same is accordingly disposed of without any order as to costs.

Since I have not called for any affidavits, the allegations contained in the writ petition are deemed to have not been admitted by the respondents.

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

(Arindam Mukherjee, J.)