

28.04.2021

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(Through Video Conference)

W.P.A. 5370 of 2021

Radhika Express Pvt. Ltd.

Vs.

Union of India & ors.

Ms. Kalyani Bhattacharya

Mr. Utsab Roy Misra

Mr. Kishore Sharma

... for the petitioner

Mr. Sandip Choraria

... for the C.G.S.T. authority

Counsel for the petitioner herein wishes to restrict her arguments and grounds of filing the writ petition to the innocuous prayer of consideration of a representation dated February 10, 2021 (Annexure P9 at page 39) made to the Principal Commissioner of Central Tax, Kolkata North Commissionerate, C.G.S.T. & C.E.

Mr. Choraria, learned Counsel appearing on behalf of the respondent authorities has vehemently opposed this writ petition and stated that certain material facts have been suppressed herein.

In my view, without going into the merits of the arguments of both sides, I can dispose of the writ petition with the following order :-

The Principal Commissioner of Central Tax, Kolkata being the respondent no.3 is directed to grant opportunity of hearing to the petitioner and thereafter pass a reasoned order on the representation dated February 10, 2021

within a period of four weeks from date. The reasoned order is to be communicated to the petitioner two weeks thereafter.

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

All parties are to act on website copy of this order.

(Shekhar B. Saraf, J.)