OD – 15

ORDER SHEET
WPO 109 OF 2021
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

SKYSCRAPPERS INFRACON PRIVATE LIMITED
Versus
THE ASSISTANT COMMISSIONER, GOODS AND SERVICE TAX, BHABANIPUR, KOLKATA (SOUTH), WEST BENGAL.

BEFORE:
The Hon'ble JUSTICE SHEKHAR B. SARAF
Date : 9TH March, 2021

Appearance :
Mr. Saumyajit Dasgupta, Adv.
Mr. Sidhartha Sharma, Adv.
Ms. U. Chatterjee, Adv.
Ms. S. Basu, Adv.
For the Petitioner

Mr. Abhratosh Majumdar, Adv.
Mr. Soumitra Mukherjee, Adv.
Mr. Avra Mazumder, Adv.
…For the State

Mr. R. Ray, Adv.
For the U.O.I

Mr. Kaushik Dey, Adv.
Mr. Tapan Bhanja, Adv.
…For the Respondent No.2

The Court: This is an application under Article 226 of the Constitution of India wherein the writ petitioner is aggrieved by the non-compliance of an order passed by this Hon'ble Court on February 15, 2021 in relation to revocation of suspension of the petitioner's GST registration.

The petitioner has indicated to the Court an email received by the petitioner on 26th February, 2021 from the Assistant Commissioner of State tax & Commercial Tax Officer indicating the officer's inability to carry out the order passed by this Court due to technical issues.

I have heard learned Counsel appearing on behalf of the petitioner and also Mr. Abhratosh Majumder learned AAG, on the particular issue.

I, accordingly, direct the GSTN to enable the system so that the officer concerned can revoke the suspension.

I make it clear that the GSTN shall look into all technical modalities and ensure that the suspension of the petitioner is revoked within a period of ten days from date.

In the meantime, the respondents are directed to take no steps with regard to the show cause notice issued by them.

The writ petition being WPO No.109 of 2021 is disposed of accordingly.

Since no affidavits have been filed in this matter, the allegations made in the writ petition are deemed not to have been admitted by the respondent.

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

(SHEKHAR B. SARAF, J.)

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