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ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE
(VIA VIDEO CONFERENCE)

W.P.O. No. 198 of 2020

BONGAON CO-OPERATIVE CREDIT SOCIETY LIMITED
Versus
GOVERNMENT OF INDIA, MINISTRY OF FINANCE, I.T. DEPT. AND ORS.

BEFORE:
The Hon'ble JUSTICE SHEKHAR B.SARAF
Date : 8th March, 2021

Appearance:
Mr. Ashok Bhowmik, Adv.
...for the respondents

The Court : This is an application under Article 226 of the Constitution of India wherein the writ petitioner is aggrieved by the inaction on the part of the Commissioner of Income Tax (Appeals) (hereinafter referred to as CIT (A)) in not deciding his stay application in a time bound manner. The case of the petitioner is that his application for stay was rejected by the Assessing Officer and thereafter he has filed an application before the CIT(A). His innocuous prayer is for the stay application being heard and decided expeditiously.

Accordingly, the CIT(A) is directed to decide the application for stay within three weeks from date. Till the said application is decided, no coercive measure should be taken against the petitioner. Needless to mention, after passing the

reasoned order on the application the authority shall be at liberty to proceed in accordance with law.

The writ petition being W.P.O. No. 198 of 2020 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 respondents.

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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