

19.01.2022.
p.b.
Sl. No.20.

W.P.A. 424 of 2022

Jayanta Roy
Vs.
The Union of India & Ors.

(Via Video Conference)

Mr. Atarup Banerjee,
Mr. Samit Bhanja.
.....for the petitioner.

Mr. Somnath Ganguly,
Mr. Sukalpa Seal,
Ms. Sabnam Basu,
Ms. P. Singh.
.....for the respondent no.2 to 5.

Mr. Sanjeeb Seni.
.....for the U.O.I.

Heard learned advocates appearing for the parties.

In this matter, petitioner has challenged the impugned search and seizure dated 1st November, 2021 and issuance of summon dated 3rd January, 2022 pursuant to the aforesaid search and seizure. Petitioner also submits that it has made a representation on 30th December, 2021 through e-mail as well as hardcopy before the respondent authorities concerned retracting of payment which was alleged to be forcibly made. It appears from record that the summon has been issued subsequent to the search and seizure to which petitioner himself has

asked for time to comply with the summon on the health ground.

Considering the submission of the parties and the facts as appear from record, I am of the view that the case of the petitioner is at the investigation stage and writ court should not interfere with the investigation, however, the alleged forcible payment will abide by the final outcome of the investigation. During the pendency of the investigation proceeding before the authority concerned, respondent concerned is directed to consider the representation of the petitioner dated 30th December, 2021 within three weeks from date in accordance with law and by giving an opportunity of hearing to the petitioner or its authorised representatives. It is clarified that this order in no way is interfering with the investigation proceeding.

With this direction and observation, this writ petition being WPA No.424 of 2022 is disposed of.

(Md. Nizamuddin, J.)