

27.04.2022.
p.b.
Sl. No.12.

W.P.A. 6896 of 2022

Sanjay Giri
Vs.
State of West Bengal & Anr.

Ms. Sweta Mukherjee.
.....for the petitioner.
Mr. A. Ray,
Mr. T. M. Siddiqui,
Mr. D. Ghosh.
.....for the State.

Heard learned advocates appearing for the parties.

In this writ petition, petitioner has challenged the impugned show-cause notice dated 12th April, 2022 for cancellation of registration of the petitioner and suspending its licence in the meantime being Annexure P2 to the writ petition, on the ground that the impugned show-cause notice does not indicate as to who has issued the impugned notice and to whom reply has to be given against the impugned show-cause notice.

Mr. Siddiqui, learned advocate appearing on behalf of the State respondent files a written instruction and hands over a copy of the same to the petitioner. Mr. Siddiqui, learned advocate for the State respondent submits that there was an enclosure along with the aforesaid impugned show-cause notice, which is contrary

to record as appears from Annexure P-2 which does not talk about any enclosure.

Petitioner submits that petitioner has been deprived of its right to give reply and to be heard on the aforesaid impugned show-cause notice.

Considering the submission of the parties and what appears from record, this writ petition being WPA No.6896 of 2022 is disposed of by giving liberty to the petitioner to give reply to the aforesaid impugned show-cause notice to the Assistant Commissioner of Sales Tax, Howrah, Kadamtala Charge which, according to Mr. Siddiqui, before whom such reply is to be submitted to the impugned show-cause notice. If such reply to the impugned show-cause notice is filed by the petitioner within seven days from date, the same shall be disposed of by the authority concerned within seven days from the date of receipt of such reply in accordance with law and by passing a reasoned and speaking order and after giving an opportunity of hearing to the petitioner or its authorized representatives. Petitioner shall be entitled to take all the points raised in the writ petition before the authority concerned at the time of hearing of the impugned show-cause notice.

With this observation and direction, this writ petition being WPA No.6896 of 2022 stands disposed of.

(Md. Nizamuddin, J.)