AD-25
Ct No.09
22.08.2022
TN

WPA No. 14598 of 2022

Kishore Kumar Chokhani
Vs.
State of West Bengal and others

Mr. Emon Bhattacharjee,
Mr. Jally Dey
.... for the petitioner

Mr. Pantu Deb Roy,
Mr. Pannalal Bandopadhyay
.... for the State

On instruction, learned counsel for the petitioner submits that the petitioner does not want to proceed further with the present challenge in view of an appeal being maintainable, against the order impugned herein, under Section 9 of the West Bengal Motor Vehicles Tax Act, 1979 (hereinafter referred to as "the 1979 Act").

In view of such prayer being made by the petitioner and upon hearing learned counsel for the parties, WPA No. 14598 of 2022 is dismissed as withdrawn with liberty to the petitioner to challenge the order impugned herein on the same contentions as raised in the present writ petition before the appropriate appellate forum under Section 9 of the 1979 Act.

If so approached, the said forum shall decide the same in accordance with law upon giving opportunity of hearing to all concerned without being influenced in any manner by any of the observations made in this order.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)