

10.08.2022.
p.b.
Sl. No.13.

W.P.A. 16717 of 2022

S.L. Mechanical Engineering
Equipments Pvt. Ltd. & Anr.

Vs.

Assistant Commissioner, Bally and
Salkia Charge, Bally West Bengal & Ors.

Ms. Rita Mukherjee,
Mr. Abhijat Das.

.....for the petitioners.

Mr. A. Ray,
Mr. T. M. Siddiqui,
Mr. D. Ghosh,
Mr. V. Kothari.

.....for the State.

Heard learned advocates appearing for the parties.

By this writ petition, petitioner has challenged the impugned order dated 25th April, 2022 for revocation of its registration which is an appealable order and furthermore, I find that the authority concerned while rejecting the petitioners' application has given its reason and made discussion and pass a speaking order. This Court sitting in writ jurisdiction under Article 226 of the Constitution of India cannot act as an appellate authority and substitute the findings of the authority below and cannot go into the facts and an appropriate forum for challenging the impugned order if the petitioner so aggrieved is the statutory appellate forum which the petitioner should availed.

Without going into the merit of the impugned order dated 25th April, 2022 rejecting the petitioners' application for revocation of its registration, this writ petition being WPA No.16717 of 2022 is disposed of by granting liberty to the petitioner to file the statutory appeal against the aforesaid impugned order within two weeks from date and if such appeal is filed by the petitioner within the time stipulated herein, the appellate authority concerned will not raise the issue of limitation and shall dispose of such appeal to be filed on merit 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.

(Md. Nizamuddin, J.)