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WPA 9277 of 2020

Devanshi Plyboard Industries Private Limited
Vs
Deputy Commissioner, BI-IV & Ors.

Mr. Rituraj Chakraborty,
Mr. Suryaneel Das
... For the Petitioner.
Mr. A. Ray, Ld. GP.,
Mr. T.M. Siddiqui,
Mr. D. Ghosh
... For the State.

Heard learned Advocates appearing for the parties.

By this writ petition, petitioner has challenged the impugned order of the Appellate Authority under WBGST Act, dated 1st of October, 2020 on the ground of violation of principle natural justice by passing the aforesaid ex parte impugned order without considering the petitioner's adjournment petition on medical ground of being affected by Covid-19. Petitioner has annexed the adjournment petition along with medical report as appears at pages 66 and 67 of the writ petition.

Considering the submission of the parties the impugned order dated 1st of October, 2020 is set aside and remanded back to the Appellate Authority concerned to pass a fresh order in accordance with law and by passing a reasoned and speaking order after providing the petitioner an opportunity of hearing, within a month from date.

It is clarified that no unnecessary adjournment will be granted to the petitioner and if the petitioner does not cooperate in the proceedings, the authority is at liberty to pass ex parte order.

With this observation and direction, this writ petition being WPA 9277 of 2020 is disposed of.

(Md. Nizamuddin, J.)