

23.06.2023.
PB
Sl. No.10-12.

WPA 11299 of 2023
With
WPA 11303 of 2023
with
WPA 11307 of 2023

M/s. Abhishek Construction Corporation & Anrs.
Vs
State of West Bengal & Ors.

Mr. Gobinda Dey.
... For the Petitioners.

Mr. A. Ray,
Mr. T. M. Siddiqui,
Mr. S. Sanyal.
.....for the State.

Heard both the parties.

Petitioner has filed this writ petition being aggrieved by the action of the WBGST authority concerned in non-supplying the detail of the impugned order in original dated 29th August, 2022 due to which he could not file the statutory appeal against the said order.

Mr. Siddiqui, learned Additional Government Pleader was asked to take instruction in the matter by the order of this Court dated 13th June, 2023 as to whether the order in detail was served or not to which he submits that order in original was very much available in the portal and submits that the allegation

of the petitioner is not correct. He has also handed over the copy of the order in original in details to the learned advocate appearing for the petitioner.

Considering the facts and circumstances to the case and submission of the parties and in the interest of justice, these writ petitions being WPA 11299 of 2023, WPA 11303 of 2023 and WPA 11307 of 2023 are disposed of by granting liberty to the petitioner to file appeal against the aforesaid impugned order in original dated 29th August, 2022 within two weeks from date and if such appeal is filed by the petitioner within the time stipulated and subject to compliance of all the formalities of the appeal, the appellate authority shall consider and dispose of the appeal on merit without insisting on the point of limitation. In case of default in filing the appeal, this order will not have any force and the respondent authorities concerned will be free to proceed in the matter in accordance with law.

With this observation and direction, these writ petitions being WPA 11299 of 2023, WPA 11303 of 2023 and WPA 11307 of 2023 are disposed of.

(Md. Nizamuddin, J.)

