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WPA 16773 of 2022
With
CAN/1/2023, CAN/2/2023
M/s. Jyote Motors Bengal Private Limited & Anr.
Vs
Additional Director, Directorate General of Goods & Service Tax Intelligence, Kolkata Zonal Unit & Ors.

Mr. Vinay Kr. Shraff,
Ms. Priya Sarah Paul,
Mr. Kaushal Agarwal
... For the Petitioners.
Mr. A. Ray, Ld. GP.,
Mr. T.M. Siddiqui,
Mr. S. Mukherjee,
Mr. D. Ghosh,
... For the State.
Mr. Bhaskar Prosad Banerjee,
Mr. Tapan Bhanja
... For the CGST & CX Authority.
Mr. Siddhartha Lahiri
... For the UOI.

Affidavit-of-service and the affidavit-in-opposition filed by the respective parties be kept with the record.

Heard learned Advocates appearing for the parties.

Learned Advocate appearing for the petitioners files this application for addition of party being CAN/1/2023 and challenging the subsequent final order in original passed during the pendency of the writ petition and prays for stay of the said order in original which is not the subject matter of the original writ petition and furthermore, there was no interim order. I am of the considered view that petitioners intend to extend the scope of the original writ petition by way of this application, which I am not inclined to entertain in addition to the legal position that the impugned order in original is an appealable order under the statute.

In view of the discussion made above, these applications being CAN/1/2023 and CAN/2/2023 are dismissed and the writ petition being WPA 16773 of 2022 is also disposed of with liberty to the petitioners to file statutory appeal against the order in original dated 19th January, 2023, within four weeks from date and if such appeal is filed by the petitioners within the time stipulated herein, the Appellate Authority will consider and dispose of such appeal to be filed on merits and not raise the point of limitation.

(Md. Nizamuddin, J.)