

20.09.2023

Sl no. 3

Ct no. 2

P.M.

WPA 21618 OF 2023

Ashok Kumar Jha.

- Vs -

Union of India & Ors.

Ms. Sweta Mukherjee,
Mr. Arup Sakar

... for the petitioner

Mr. K. K. Maiti,
Mr. Tapan Bhanja

... for CGST authorities

Heard learned advocates appearing for the parties.

By this writ petition, petitioner has challenged the impugned order dated 17th January, 2023 cancelling the petitioner's registration, on the ground that the same is non-speaking order and without considering and discussing its objection to the show-cause for cancellation of its registration.

I have perused the aforesaid impugned order and find that the allegation of the petitioner is substantially correct that the impugned order is not a speaking order and it does not contain any reason in detail for taking such decision of cancellation of petitioner's registration.

Mr. Maiti, learned advocate appearing for the respondent submits that in the impugned show-cause notice reason was given and petitioner has

already filed objection to the same but the fact remains that the final order of cancellation of registration is non-speaking as appears on the face of it and considering this aspect the aforesaid impugned order dated 17th July, 2023 and all subsequent order , if any, are set aside. However, order of suspension will remain and the respondent authority concerned will pass a fresh reasoned and speaking order in accordance with law after giving the opportunity of hearing to the petitioner or his authorised representatives, within a period of two weeks from the date of communication of this order.

With this observation and direction this writ petition being WPA 21618 of 2023 stands disposed of.

Since this writ petition has been disposed of at motion stage, allegation against the respondent shall be deemed to have been denied.

(Md. Nizamuddin, J.)