

01.12.2023
Item No.09
RP
Ct. No.1

MAT 1967 OF 2023
IA No.CAN 1 of 2023
Sanjay Kumar Goyal
Vs.
The State Tax Officer, Jorasanko and Jorabagan
Charge & Ors.

Mr. Anil Kumar Dugar
....for Appellant

Mr. Anirban Ray, Id. GP
Mr. T.M. Siddiqui
Mr. T. Chakraborty
Mr. S. Sanyal
.....for the State

1. This appeal is directed against the order dated 30th August, 2023 by which the learned Single Bench refused to grant interim order and at the same time directed the respondent to file affidavit-in-opposition within a time frame. The respondent is yet to file affidavit-in-opposition.
2. Considering the facts of the case that the challenge is to the order of cancellation of the certificate of registration, the question of granting any interim order could not arise as it would tantamount to granting the main relief itself. The learned Single Bench rightly declined to grant any interim order and there is no scope for interference with the order passed by the learned Single Bench. Accordingly, the appeal and the connected application are dismissed.

3. The respondents are directed to file affidavit-in-opposition to the writ petition within two weeks from date; reply, if any, be filed within a week thereafter. Liberty is granted to the learned advocate for the petitioner to move the concerned Hon'ble Court for early listing of the matter.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)