

23.11.2023
PB
Sl. No.11.

WPA 24315 2023

Viren Mehta
Vs
The State of West Bengal & Ors.

Ms. Sweta Mukherjee.
... For the Petitioner.

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

Heard learned advocates appearing for the parties.

By this writ petition, petitioner has challenged the impugned order dated 29th August, 2023 of the appellate authority under the relevant provisions of the WBGST Act, on the ground of violation of principle of natural justice by denying the petitioner opportunity of hearing by not intimating the date of hearing to the petitioner on which the appeal in question was taken and the impugned order was passed by the appellate authority, though on earlier occasion on the date fixed, petitioner did not appear but petitioner was never made known the date when the appeal was taken and the impugned order was passed.

Considering the facts and circumstances of the case and in the interest of justice, the aforesaid

impugned order of the appellate authority is set aside and the matter is remanded back to the appellate authority concerned to consider and dispose of the appeal in question by affording opportunity of personal hearing to the petitioner, within eight weeks. If petitioner does not appear on the day fixed by the appellate authority the appeal can be disposed of ex parte.

With this observation and direction, this writ petition being WPA 24315 of 2023 is disposed of.

(Md. Nizamuddin, J.)