

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction**

8 21.09.2023
Ct. no. 2
SK

WPA/148/2022
IA NO: CAN/1/2022

KAMLESH PRASAD
VS
ASSISTANT COMMISSIONER OF
STATE TAX, BUREAU OF
INVESTIGATION, NORTH
BENGAL (HQ, SILIGURI) AND
ORS

Mr.Subir Kr. Saha
Mr. B. Ghosh ...for the State

None appears on behalf of the petitioner nor is any adjournment prayed for on their behalf even in the third call.

The matter was adjourned on an earlier occasion i.e. 18 September, 2023 when the petitioners were unrepresented. Pursuant to the said order, the Department has filed a Report wherefrom it appears that no steps have been taken in this matter nor has the impugned proceeding attained finality insofar as the respondents are concerned. There are various dates mentioned in the Report which are incorporated mechanically and do not demonstrate any diligence on the part of the Department.

Significantly, there has been no order of restraint passed by this Court nor has any stay of the impugned proceedings been granted.

In view of the non-appearance of the petitioner, WPA/148/2022 alongwith all interlocutory applications stands dismissed for default.

The respondents are at liberty to act expeditiously and bring the impugned proceedings to a conclusion in accordance with law.

(Ravi Krishan Kapur, J.)