

03.08.2023
A.P.
Item No.13

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

WPA No. 1571 of 2023

M/s. Guru Nanak Transport Service and Others
Vs.
The State of West Bengal & Ors.

Mr. Kunaljit Bhattacharjee
Mr. Alok Sah

...for the Petitioner

Mr. Subir Kumar Saha(AGP)
Mr. Bikramaditya Ghosh

... for the State

Affidavit of service filed on behalf of the
petitioner is taken on record.

The petitioner contends that his truck carrying
consignment from Arunachal Pradesh to Jammu &
Kashmir was intercepted at Panikauri, West Bengal on
26th December, 2022 on the ground of alleged non-
production of tax invoice and delivery challan. The
truck is in custody of the respondent authorities till
date. The petitioner submitted a representation before
the concerned authority on 6th June, 2023 which is
yet to be considered. The petitioner prays for a

direction upon the authority to consider the representation at the earliest.

Learned counsel for the respondent submits that the 4th respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 4th respondent to consider and dispose of the representation submitted by the petitioner dated 6th June, 2023 within ten days from the date of communication of this order upon affording reasonable opportunity of hearing to the petitioner, in accordance with law. The petitioner shall be at liberty to place all the relevant documents before the concerned authority at the time of hearing.

The decision taken by the authority shall be communicated to the petitioner within a week thereof.

There shall however be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)