

07.02.2024
PB
Sl. No.2.

WPA 1091 of 2024

Eden Real Estates Pvt. Ltd. & Anr.
Vs
The Assistant Commissioner of State
Tax, Bhabanipur Charge, WBGST & Ors.

Mr. Ankit Kanodia,
Ms. Megha Agarwal,
Mr. Jitesh Sah.
... For the Petitioners.

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 adjudication order dated 29th December,
2023, passed by the WBGST authority concerned and
since it is an appellable order under the statute and
petitioner could not make out a case that this case
falls within the exception/criteria laid down by this
writ court in entertaining the writ petition in spite of
availability of alternative remedy that the order passed
by an authority is in violation of principle of natural
justice or that the same is without jurisdiction or that
the order has been passed in contravention of any
specific provision of law or that constitutional validity

of any provision of law is involved. In view of the fact, on the ground of alternative remedy by way of statutory appeal available to the petitioner, I am not inclined to exercise the constitutional writ jurisdiction of this Court under Article 226 of the Constitution of India and accordingly, this writ petition being WPA 1091 of 2024 is dismissed.

(Md. Nizamuddin, J.)