

02.01.2024

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PG/KS

Ct. No.1

**M.A.T. 1367 of 2023
With
I.A. No. CAN 1 of 2023**

**Shahnawaz Khan
Versus
State of West Bengal & ors.**

Mr. T.M. Siddique
Mr. T. Chakraborty
Mr. S. Sanyalfor the State

Mr. K.K. Maiti
Mr. Tapan Bhanja.....for the CGST Authority

1. None appears for the appellant. We have heard Mr. K.K. Maiti, learned standing counsel for the CGST authority and Mr. T.M. Siddique, learned advocate for the State.
2. On going through the order impugned in this appeal, we find nothing would survive in this appeal since in the writ petition, the appellant had impugned a summons dated 17th July, 2023 by which the appellant was directed to personally appear on 10th July, 2023.
3. Thus, by efflux of time, the summons, has worked itself out and apart from that, the writ petition has been dismissed giving liberty to the appellant to make appropriate application in accordance with law for release of the seized material and if such application is made, the same was directed to be considered by the respondent authorities in accordance with law.

4. Thus, we find no ground to interfere with the order impugned. Accordingly, the appeal and the connected application (I.A. No. CAN 1 of 2023) are dismissed.
5. No costs.
6. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(SUPRATIM BHATTACHARYA, J.)