

**IN THE HIGH COURT OF JUDICATURE AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE**

HEARD ON: 24.09.2024

DELIVERED ON: 24.09.2024

**CORAM:
THE HON'BLE MR. CHIEF JUSTICE T.S. SIVAGNANAM
AND
THE HON'BLE MR. JUSTICE BIVAS PATTANAYAK**

**M.A.T. 1850 of 2024
With
IA No. CAN 1 of 2024**

**Ravi Taparia
Vs.
The Union of India & Ors.**

Appearance:-

**Mr. Himangshu Kumar Ray
Mr. Piyas Chowdhury
Mr. Subhasis Podder
Ms. Shiwani Shaw
Mr. Amit Saha**

.....For the Appellant

**Mr. T. M. Siddiqui
Mr. T. Chakraborty
Mr. S. Sanyal**

.....For the State

Mr. Prithu Dudhuria

.....For the Union of India

JUDGMENT

(Judgment of the Court was delivered by T.S. SIVAGNANAM, C.J.)

1. This intra-Court appeal by the writ petitioner is directed against the order dated 4th September, 2024 in W.P.A. No.17838 of 2024. By the said order, the learned writ court relegated the appellant to avail the alternate remedy of preferring an appeal before the appellate authority. However, the appellant is

aggrieved by the direction to pay a sum of Rs.5,00,000/- as cost to the respondent authorities.

2. In our view, the order directing the appellant to approach the appellate authority does not call for interference. However, we are of the view that instead of directing payment of cost to the respondent of Rs.5,00,000/-, the appellant shall deposit the said amount before the adjudicating authority and the said deposit shall be treated as the requisite pre-deposit for entertaining the appeal by the appellate authority.
3. The appeal shall be presented within a period of six weeks from the date of receipt of server copy of this judgment and order and the appeal shall be entertained by the authority and decided on merits, provided the appellant complies with the above condition of deposit of Rs.5,00,000/- before the department as pre-deposit.
4. The appellant is directed to comply with the above conditions by effecting payment through the cash ledger, which will be converted as per law.
5. Accordingly, appeal and the connected application (I.A. No. CAN 1 of 2024) stand disposed of.
6. No costs.
7. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

I agree.

(T.S. SIVAGNANAM)
CHIEF JUSTICE

(BIVAS PATTANAYAK, J.)