

D/L 9
30.01.2025
Court No.14
PRADIP

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 2114 of 2025

Sri Goutam Kumar Jana
Vs.
The State of West Bengal & Ors.

Mr. Debashis Das
Mr. S. Roychowdhury
Ms. P. Hajrah

...for the Petitioner.

Mr. Tanoy Chakraborty
Mr. Saptak Sanyal

...for the State.

1. Affidavit of service filed in Court today is taken on record.
2. The statutory appeal filed by the petitioner before the Secretary, Excise Department is pending consideration since 23rd December, 2024. In the meantime, the authority has blocked the portal for which the petitioner is unable to log in and continue with his business.
3. It appears that certain irregularities were detected at the time of spot inspection. The petitioner was afforded opportunity of hearing before the Collector in which the petitioner failed to appear allegedly because of his illness. Appeal against such order was considered by the Excise Commissioner which also stood rejected on 18th December, 2024 and currently the second appeal is pending consideration before the Secretary, Excise Department. The petitioner prays for a direction upon the authority to permit him to continue with his business.
4. The Court is not inclined to pass any order, at this stage, permitting the petitioner to continue with his business because of the irregularities that have been detected.

5. The instant writ petition is disposed of by directing the Secretary, Excise Department to consider and dispose of the appeal filed by the petitioner, in accordance with law at the earliest but positively by 10th February, 2025. A reasoned order shall be passed and communicated to the petitioner immediately thereafter.
6. The writ petition stands disposed of.
7. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)