

19.5.2025
SL No.9
Court No.1
(tk)

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Civil Appellate Jurisdiction**

**MAT/39/2025
IA NO:CAN/1/2025**

M/s. Devankit Agrofoods Limited & Ors.

-vs-

The Union of India and Ors.

Mr. R. Mukherjee,
Mr. G. Jha,
Ms. T. Agarwal, Adv,
..for petitioners.

Mr. D.K. Agarwal,
Mr. B. R Agarwal,
...for respondents.

Ms. A. Kayan,
...for proforma respondent.

1. The appeal is directed against an order dated May 1, 2025, whereby the Single Bench, relying upon a report of the Assistant Commissioner (HEAU), Siliguri, CGST, declined to pass any interim order. The Court was of the view that the authorities as also the private respondent must be heard before a final decision was taken.
2. Having heard the arguments of the learned counsel for the appellants and the private respondent, this Court is not remotely satisfied as regards the bonafides of the explanations given for generation of the e-way bills in question.

3. In those circumstances, the parties may agitate their grievances after affidavits are exchanged before the Single Bench. This Court is not inclined, at this stage, to interfere or pass any interim order.
4. For the reasons above, MAT/39/2025 along with CAN/1/2025 stand dismissed.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)