

25.02.2026
Piya
ct no. 5
sl. 39

In The High Court At Calcutta
CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE

WPA 2191 of 2025

Mitu Rani Sahachowdhury

Vs.

Assistant Commissioner SGST, Siliguri Charge, & Ors.

Mr. Boudhayan Bhattacharyya
Ms. Stuti Bansal
Ms. Keya Kundu
Ms. Chayna Kumary
Ms. Ayantika Bhattacharyya
.....for the Petitioner

Mr. Subir Kumar Saha
Ms. Rima Sarkar
.....for the State

Mr. Ratan Banik
Mr. Bishwa Raj Agarwal
..... for the Respondent Nos. 4 & 6

1. The writ application has been preferred praying for setting aside the adjudication order under Section 73 dated July 30, 2024 passed by the respondent no. 1.

2. Vide the impugned order the respondent authority has decided the issue in the present case against the petitioner vide an order dated 30.07.2024.

3. It is submitted by the learned counsel for the petitioner that the petitioner was not aware of the said show cause notice on the basis of which the said order has been decided ex parte against the petitioner as the notice was uploaded in the additional website and in the confusion the petitioner was not aware that a show cause notice had been issued and that he was required to appear before the authority concerned and he also could not present his case before the said authority, as the same was not within his knowledge.

4. Respondent CGST submits that the said order is appealable and the petitioner should now prefer an appeal.

5. Learned counsel for the petitioner has placed a document to show that subsequent to such confusion faced by the members of the public, which has caused severe prejudice **the authorities concerned have now modified their portal and the column for additional notices orders have been now merged with notices and orders.**

6. It is submitted that, at present, the public is not facing any inconvenience.

7. On hearing the parties, it appears that the respondent authorities have now taken necessary steps to address the grievance of the public and have

taken steps for modification of their portal for the benefit of the public.

8. Accordingly, the order under Section 73 dated July 30, 2024 passed by the respondent no. 1, is hereby set aside in the interest of justice and the matter is remanded to the authority concerned to consider the issue afresh.

9. The petitioner is granted liberty to file his reply to the show cause notice issued by the respondents within 15 days from the date of this order and the authority concerned on considering the reply of the petitioner shall conduct a hearing and dispose of the same within 30 days of filing of the reply to the show cause. On hearing the petitioner and other stake holders and dispose of the same by passing a reasoned order in accordance with law.

10. The respondent authorities shall be at liberty to proceed in accordance with law, 15 days after the said reasoned order is passed.

11. Writ application is accordingly disposed of.

12. All connected application, if any, stands disposed of.

13. Interim order, if any, stands vacated.

14. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties,

expeditiously after complying with all necessary legal formalities.

(Shampa Dutt (Paul), J.)