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10.04.2024
Ct. No.02
pg/RUP.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 9519 of 2024

Naren Mallik
Vs.
State of West Bengal & Ors.

Mr. Promit Majumdar
... For the petitioner

Mr. Anirban Ray, Ld. GP
Mr. Md. T.M. Siddiqui
Mr. Tanoy Chakraborty
Mr. Saptak Sanyal
... For the State

Affidavit of service filed in Court is taken on record.

Heard learned advocates appearing for the parties.

By this writ petition petitioner has challenged the impugned order of the Appellate Authority under the relevant provisions of WBGST Act. Though, the impugned order is further appealable before the Tribunal, but the said forum is not available at present and in view of non-availability of the alternative remedy, this writ petition is admitted and the issues involved will be adjudicated on exchange of affidavits by the parties.

Let the respondents file affidavit-in-opposition within four weeks from date. Petitioner to file reply, if any, within two weeks thereafter.

If petitioner pays 20 per cent of the balance disputed tax within two weeks from date and files proof of payment of the same before the respondent authority concerned, no coercive action for recovery in question shall be taken against petitioner till 30th August, 2024 or until further order whichever is earlier.

List this matter for final hearing in the Combined Monthly List of August, 2024.

(Md. Nizamuddin, J.)