01
06.10.2026
Court No. 10
AGM

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 28336 of 2023

M/s. Rajlaxmi Agro Food Product Private Limited & Anr.
-versus
The Superintendent, GST & CX, Berhampore Range, & Ors.

Mr. Ankit Kanodia.
Ms. Megha Agarwal.
Mr. Jitesh Shah.
Ms. S. Podder.
...For the Petitioners.

Mr. Anup Dasgupta.
... For the Union of India.

Mr. Bijitesh Mukherjee.
Ms. Manasi Mukherjee.
... For the State.

Mr. B. P. Banerjee.
Mr. Tapan Bhanja.
... For the CGST Authorities.

1. Learned advocate appearing on behalf of the petitioners submit that his client does not intend to proceed with the writ petition any further.

2. In view of such submission, the writ petition along with application stand dismissed as 'withdrawn'.

3. The written instruction given by the petitioners to his learned advocate be taken on record.

4. The petitioners submit that since the Appellate Tribunal has already been constituted and is functional, the instant writ petition be transferred to the Appellate Tribunal and seeks four weeks time to prefer an appeal before the GSTAT Kolkata under

Section 112 of the CGST Act, 2017/WBGST Act, 2017. The period during which the petition has been pending be excluded for computing limitation.

5. With the above observation, the writ petition is disposed of.

6. Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Smita Das De, J.)