

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) No.578 of 2019

For Petitioner(s) : Mr. B. Roy, Advocate.

For Respondent(s) : Mr. K. Dey, Advocate.

**HON'BLE THE CHIEF JUSTICE MR. SANJAY KAROL
HON'BLE MR. JUSTICE S. TALAPATRA**

Order

31/07/2019

Petitioner has prayed for the following reliefs :

“(i) Issue Rule Nisi;

(ii) Issue Rule calling upon the respondents or each one of them, to show cause as to why a Writ of Certiorari and/or in the nature thereof, shall not be issued, to transmit the records relevant to the subject matter, for rendering the conscionable justice to the petitioner, and for quashing/setting aside the impugned order of assessment dated 29-03-2019 & Notices of Demand dated 30-03-2019 (Annexure-4);

(iii) Issue Rule calling upon the respondents or each one of them, to show cause as to why a Writ of Mandamus and/or in the nature thereof, shall not be issued, directing/commending them to act in strict conformity with the Constitutional and Statutory mandates, referred to supra, and revoke/rescind the impugned order of assessment dated 29-03-2019 & Notices of Demand dated 30-03-2019 (Annexure-4) as the same is passed beyond Jurisdiction and violating the natural justice by not serving the Notice under Section 31(4), 53, 75A of the Act and Section 9(2), 9(2A), 10 and 10A of CST Act, 1956;

(iv) Issue Rule calling upon the respondents or each one of them, to show cause as to why a Writ of Prohibition and/or in the nature thereof, shall not be issued, restraining/prohibiting them, from acting in any manner, in furtherance of the impugned order of assessment dated

29-03-2019 & Notices of Demand dated 30-03-2019 (Annexure-4);

(v) In the interim pass an order staying the operation of the impugned order of assessment dated 29-03-2019 & Notices of Demand dated 30-03-2019 (Annexure-4), till the disposal of the Writ Petition;

AND

(vi) Thereafter, on hearing the parties, Your Lordships may be pleased to make the Rule absolute in terms of the prayer Nos. (i), (ii), (iii), (iv) & (v) supra for the fair ends of justice."

Mr. B. Roy, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to file afresh on the same and subsequent cause of action.

Prayer, as prayed for, is allowed.

Consequently, the writ petition, with liberty, stands disposed of as having been withdrawn.

(S. TALAPATRA), J

(SANJAY KAROL), CJ