

THE HON'BLE SRI JUSTICE G. CHANDRAIAH

AND

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 27424 of 2015

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ORDER:- (per Hon'ble Sri Justice Challa Kodanda Ram)

The goods have been seized on 12.08.2015 and a show cause notice was issued to the petitioner on 12.08.2015. Thereafter, the petitioner submitted a detailed reply on 17.08.2015 vide his letter dated 16.08.2015. Though more than a month has passed, no orders are being passed. Hence, the writ petition.

2. Heard learned counsel for the petitioner and Sri Shaik Jeelani Bhasha, Special Standing Counsel for Commercial Taxes (AP).

3. Though learned counsel for the petitioner made detailed submissions with respect to the impossibility of generating an e-transit pass and the facility of issuance of transit pass not available at border check post, we do not wish to enter into the said arena for the simple reason that all these are the aspects which are to be considered by the concerned authorities, especially keeping in view the explanation submitted by the petitioner. Needless to mention that the authorities shall consider the same in terms of the regulations and also keeping in view the impossibility of generating an e-transit

pass when the entry and exit point is one and the same. One can visualise a situation of computer system not accepting keeping in view the point of entry and exit being one and the same, and especially when such an option is not provided in the computer system.

4. Keeping in view the situation, though an apprehension is expressed by the learned counsel for the petitioner, we have no manner of doubt that the concerned authorities will take all these aspects in proper perspective by taking into consideration the explanation submitted by the petitioner. However, considering the fact that the goods came to be seized on 12.08.2015, the respondent authorities shall pass orders within three days from the date of receipt of a copy of this order.

5. The writ petition stands disposed of, accordingly. No costs. Miscellaneous petitions, if any pending, shall stand closed.

G. CHANDRAIAH, J

CHALLA KODANDA RAM, J

10th September, 2015

Note: Issue C.C. today.

B/o

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