

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No. 15508 of 2015
Decided on : 12.08.2015**

M/s Golden Bikes

... Petitioner

Versus

Union of India and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MRS. JUSTICE RAMENDRA JAIN**

PRESENT: Mr. Jagmohan Bansal, Advocate
for the petitioner(s).

Mr. Sunish Bindlish, Advocate
for the respondent(s).

AJAY KUMAR MITTAL, J. (Oral)

This order shall dispose of two Writ Petitions i.e. CWP No.15508 of 2015 and CWP No.15510 of 2015 as according to the learned counsel for the parties, the issue involved in both the petitions is identical.

2. The petitioner had imported different cycle parts from China. The goods were intercepted and the Panchnama dated 12.02.2015 (Annexure P-1) was issued by the custom authorities for detaining the goods. The petitioner applied for provisional release of the said goods on 16.02.2015 (Annexure P-4) and a reminder was also sent in this regard on 10.06.2015 (Annexure P-5).

3. Learned counsel for the petitioner submitted that the Panchnama dated 12.02.2015 (Annexure P-1) was illegal and thus it is liable to be quashed. Since respondent No.3 has not adjudicated the request of the petitioner for provisional release of the goods made vide Annexures P-4 and P-5, learned counsel for the petitioner prayed that a direction be issued to

the competent authority to decide the same in a time-bound manner.

4. Learned counsel for the respondents had produced a copy of the Show Cause Notice No.44/2015 dated 03.08.2015 on 10.08.2015, which was issued to the petitioner and states that in view thereof, the prayer for quashing the Panchnama dated 12.02.2015 (Annexure P-1) has been rendered infructuous. This fact has not been disputed by the learned counsel for the petitioner, however, he reiterates his prayer for provisional release of the goods and disposal of the application for provisional release of the goods expeditiously.

5. After hearing the learned counsel for the parties, the writ petitions are hereby disposed of with a direction to respondent No.3 to take a decision on Annexures P-4 and P-5 regarding the provisional release of the goods within a period of one month from the date of receipt of certified copy of this order, after affording an opportunity of hearing to the petitioners and by passing a speaking order in accordance with law.

6. Both the writ petitions stand disposed of, accordingly.

(AJAY KUMAR MITTAL)
JUDGE

(RAMENDRA JAIN)
JUDGE

August 12, 2015
Yogesh