

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****M.C.C. No. 114 of 2018**

Pritpal Singh S/o late Jaswant Singh, R/o 16/ 34, Top Floor, East Patel
Nagar, New Delhi- 110008

---- Applicant**Versus**

1. Union of India through Revenue Secretary, Ministry of Finance, North Block, New Delhi
2. Additional Commissioner, Customs, Central Excise & Service Tax, Central Excise Bhawan, Dhamtari Road, Tikrapara, Raipur, Chhattisgarh
3. Deputy Director, Directorate of Revenue Intelligence, Nagpur Regional Unit, 6th Floor, B Wing, CGO Complex, Seminari Hills, Nagpur- 440006

---- Respondents

For Applicant	:	Shri Manish Nigam, Advocate
For Respondent no.2	:	Shri Vinay Pandey, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****19/02/2018**

Present MCC has been filed by the petitioner seeking for extension of time to conclude the proceedings as per the directions given by this Court in WPT No.249 of 2017.

2. At this juncture, it would be relevant to refer to the operative part of the order dated 16.08.2017 passed by this Court in WPT No. 249 of 2017 which is as under:

“11. Accordingly, this Court is of the opinion that ends of justice would meet if the petition itself is disposed of with a direction to respondent no.2 to take prompt action on the proceeding under Section 110 under which the products of the petitioner have been seized on 14.04.2017 and it is also expected that Respondent no.2 shall make all endeavours for concluding the proceedings within a reasonable period i.e. within a period of four months from

the date the certified copy of this order is presented before Respondent no.2.

12. It is made clear that this Court has not expressed any opinion on the merits of the case and the authorities concerned shall decide the matter purely on its merits, in accordance with law.”

3. A plain perusal of the aforesaid observation itself clearly reflects that the mandate of this Court was against respondent no.2 and the direction was that he would make all endeavours to conclude the proceedings within the period specified in the said order. If for any reason, under any circumstance, respondent no.2 is not able to conclude the proceedings within the specified period, it is for the respondent no.2 to seek extension of time to conclude the proceedings. This Court does not find it proper for the petitioner to seek extension of time for and on behalf of respondent no.2.

4. Under the circumstances, since the petitioner himself does not have any objection in granting extension of time, this Court does not find any necessity for a specific order for extension of time to be granted unless a request is made by respondent no.2 himself.

5. With the aforesaid observation, the present MCC stands disposed of.

6. It is made clear that the disposal of this MCC shall not come in the way of respondent no.2 in concluding the proceeding at the earliest as per the directives given by the Writ Court.

**Sd/-
(P. Sam Koshy)
JUDGE**