

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN

AND

HON'BLE SRI JUSTICE P. KESHAHA RAO

Writ Petition No.43389 of 2018

Between:

Digital Express, Room No.15, 3rd Floor, Unity House,
Abids, Hyderabad, represented by its Proprietor
P. Venkata Rao, aged about 58 years, Occ: Business

... Petitioner

Vs.

The Union of India, represented by its Secretary,
Department of Electronics & Information Technology,
New Delhi, India and 4 others

... Respondents

Counsel for the Petitioner : Mr. Gandra Mohan Rao

Counsel for Respondents : Mr. B. Narasimha Sarma, Sr.
Standing Counsel

Mr. K. Lakshman, Asst. Solicitor
General

HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN

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ORDER: *(per V. Ramasubramanian, J)*

Aggrieved by the detention of goods without any adjudication for the past one year, the petitioner has come up with the above writ petition.

2. Heard Mr. Gandra Mohana Rao, learned counsel for the petitioner and Sri B. Narasimha Sarma, learned senior standing counsel for the Department.

3. The petitioner filed a Bill of Entry on 30-12-2017 for the clearance of the import consignment of 269 units of Digital Multifunctional Print Devices. They were detained by the Customs at Bangalore. Since nothing happened thereafter, the petitioner has come up with the above writ petition seeking a declaration that the detention was illegal.

4. The writ petition was actually filed on 28-11-2018. It came up for orders as to admission on 29-11-2018.

5. On 30-11-2018 a show cause notice was issued by the Additional Commissioner of Customs. Therefore, proceedings have in fact commenced under the Customs Act, 1962. Hence, they should be permitted to come to a logical end.

6. In view of the above, the writ petition is disposed of directing the petitioner to submit a reply to the show cause notice by

14-12-2018. Thereafter, the adjudicating authority shall give a date for personal hearing, in the third week of December. After taking note of the decisions relied upon by the petitioner and the submissions made by them and the points raised by the petitioner, before this Court and the decisions of his own peers and after taking note of the objections raised, the adjudicating authority may pass orders, before the end of this month. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

V. RAMASUBRAMANIAN, J

P. KESHA RAO, J

Date: 10-12-2018

Ksn

