

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Special Jurisdiction (Contempt)
ORIGINAL SIDE
(VIA VIDEO CONFERENCE)

C.C. No. 51 of 2020

BIPLAB SAHA
Versus
PRAMOD KUMAR AGARWAL AND ORS.

W.P.O. No. 63 of 2020
IA No: G.A. No. 1 of 2021

BIPLAB SAHA
Versus
UNION OF INDIA AND 3 OTHERS

BEFORE:
The Hon'ble JUSTICE SHEKHAR B.SARAF
Date : 11th January, 2021

Appearance:
Mr. K. K. Maiti, Adv.
...for the petitioner

Mr. Ramesh Kumar Chowdhury, Adv.
...for the respondents

The Court : This is an application for contempt of an order passed by me on February 19, 2020. Mr. K. K. Maiti, learned counsel appearing on behalf of the respondent authorities has been served the copy of the contempt application and submits that subsequent to receipt of the contempt application, an application for modification of the order dated February 19, 2020 has been filed by them bearing no. G.A. 1 of 2021.

Mr. Maiti submits that they have not been able to complete the final assessment as they are still awaiting the response from the Government of Bangladesh. He prays that the time to complete the final assessment be extended by three months.

In my view, the action taken by the Customs authorities in filing an application for modification after 11 months of passing of the order and after having received the copy of the contempt application is not in accordance with the principles established in law.

However, keeping the interest of the revenue of mind the time to complete the final assessment is extended by six weeks from date. I make it clear that the assessment must be finalized irrespective of whether the verification reports are received from the Bangladesh authorities.

G.A. No. 1 of 2021 is accordingly disposed of.

Let this contempt application appear in the list on March 4, 2021.

(SHEKHAR B.SARAF, J.)