

ORDER SHEET
WPO/122/2020
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

SULTAN AHMED
Versus
UNION OF INDIA & ANR.

BEFORE:
The Hon'ble JUSTICE SHEKHAR B. SARAF
Date : 15th December, 2020.

Mr. Arijit Chakrabarti, Adv.
... for the petitioner

Mr. Somnath Ganguli with
Ms. Manasi Mukherjee, Adv.
... for the respondent no.2

Mr. Tapan Bhanja, Adv.
... for Union of India.

This is an application under Section 226 of the Constitution of India wherein the writ petitioner is aggrieved with the inaction on the part of the respondent authorities for considering his representation dated December 16, 2019 with regard to the provisional release of his vehicle under Section 110A of the Customs Act, 1962.

I have heard learned Counsel appearing on behalf of the parties and perused the materials on record.

Mr. Chakraborty, learned Counsel appearing on behalf of the petitioner, submits that show-cause notice has also been issued in respect of seizure of gold from the impugned vehicle.

In my view, the writ petition can be disposed of with a direction upon the Additional Commissioner of Customs, CC(P), West Bengal Customs House, being the respondent no.2 herein, to pass a reasoned order under Section 110A of the Customs Act, 1962 within a period of 10 days from date.

Since no affidavits have been exchanged, allegations contained in the writ petition shall be deemed not to be admitted.

With the above observation the writ petition is disposed of.

There will be no order as to costs.

(SHEKHAR B. SHARAF, J.)