

ORDER SHEET
WPO/299/2020
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

R.K. INTERNATIONAL & ANR.
-VS-
COMMR. OF CUSTOMS (PORT) & ORS.

BEFORE:
THE HON'BLE JUSTICE RAJARSHI BHARADWAJ
DATE: 25.11.2020

Mr. P. Bag, Adv., for petitioner.
Mr. K.K. Maity, Adv.; Mr. B.P. Banerjee, Adv., for respondent authorities.
Mr. Sarkar, Adv., for respondent no.6.

The Court: Learned counsel appearing for the petitioner challenges the adjudication order being the order in original no.KOL/CUS/ADC/PORT/SIB/58/2020, on the question of jurisdiction. On query from this Court, the learned counsel fairly submits that an appeal has been preferred from this order in original, but this writ petition has been preferred on the question of jurisdiction.

Mr. Sarkar, learned counsel appearing for the respondent no.6, submits that they are the right holders of the goods in question and they have executed a bond before the Customs authorities, as prescribed under Notification No.47/2007-Cus.(N.T.), dated 08.05.2007, and prays for dismissal of the writ petition.

Heard all the parties. As the writ petitioner has already preferred an appeal before the Customs authorities, this writ petition is dismissed, but with a liberty to proceed with the appeal before the Customs authorities.

There will be no order as to costs.

(RAJARSHI BHARADWAJ, J.)