

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12225 of 2021

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Ansul Singhal son of Naresh Singhal resident of Village - 70 Badabazar, P.S. - Dadri, District- Gauttam Budha Nagar, Uttar Pradesh.

... .. Petitioner/s

Versus

1. Union of India, through the Commissioner of Custom (P) HORS, Patna, Bihar.
2. The Assistant Commissioner (Adjn) Customs (P) Head Quarters, Patna.
3. The Assistant Commissioner, Customs (P) Division Forbesganj.
4. The Inspector Customs (P) Division Forbesganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Dhananjay Kumar Pandey, Adv.
For the Respondent/s	:	Mr.Dr. K.N. Singh (Asg)
For the Custom Department	:	Mr. Anshuman Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 29-10-2021 The present writ petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

The present writ petition has been filed seeking the following reliefs:-

- (i) For issuance of a writ for setting aside the provisional release order dated 16.6.2021 issued under the signature of Assistant Commissioner (Adjn) Customs (P) Head Qaurters, Patna (respondent no. 2) whereby and



whereunder the Assistant Commissioner (Adjn) Custom (P), Head Quarter, Patna has pleased to give the direction to the Assistant Commissioner Custom (P) Division Forbesganj to release the vehicle bearing its registration no. UP 16 HT/0211 provisionally to its legal owner after proper verification of the ownership.

(ii) For issuance of writs of mandamus commanding of the respondents for direction to the respondents specially respondent no. 3 to release the vehicle bearing its registration no. UP 16 HT/0211 provisionally in favour of the petitioner who is its legal owner."

At the outset, the learned counsel for the petitioner seeks to file appropriate appeal under Section 128 of the Customs Act, 1962 against the order dated 17.6.2021 passed by the Assistant Commissioner (Adjn.), Customs (P) Head Quarters, Patna.

The learned counsel for the Respondent-Customs Department, Sri Anshuman Singh, has got no objection and submits that the appeal would be



dealt with in accordance with law.

Accordingly, the present writ petition stands disposed of as not pressed, however, with liberty to the petitioner to file appropriate appeal before the Commissioner (Appeals), Customs Department and in case, such an appeal is filed within a period of four weeks from today, the same shall be adjudicated on merits and disposed of, in accordance with law, by a reasoned and a speaking order, within a period of eight weeks thereafter.

(Mohit Kumar Shah, J)

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