IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8515 of 2020

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Kishan Gopal Jajra son of Late Rameshwar Lal Jajra at present residing at Road No. 05, Vishwakarma Colony, Industrial Area, Rani Bazar, P.S. Rani Bazar, District Bikaner, Rajasthan Proprietor of Sri Mahagauri Trading Company, 3rd Floor, Room No. 23, Babu Bazar Building, S.S. Road, Fancy Bazar, P.S. Fancy Bazar, District Guwahati, Assam.

... ... Petitioner/s

Versus

1. The Union of India through the Commissioner of Customs, 5th Floor, Central Revenue Building, Birchand Patel Path, Patna.
2. The Joint Commissioner of Customs, (Preventive) cum Adjudicating Authority, 5th Floor, Central Revenue Building, Birchand Patel Path, Patna.
3. The Deputy Commissioner Custom (Preventive) Division, Muzaffarpur, District Muzaffarpur, Bihar.
4. The Assistant Commissioner (Disposal) Custom (Preventive) Head Quarters, Patna.
5. The Assistant Director, Directorate of Revenue Intelligence, Regional Unit, Patna.
6. Intelligence Officer cum Seizing Officer, Directorate of Revenue Intelligence, Sub Regional Unit, Muzaffarpur, District- Muzaffarpur, Bihar.

... ... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Prabhat Ranjan,Advocate
For the Resp. Customs	:	Dr. Anshuman Singh,Sr. SC, Customs

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 26-03-2021

Heard learned counsel for the petitioner and learned counsel for the respondents. Learned counsel for the petitioner has filed an undertaking to remove all defects pointed out by the Stamp Reporter as and when required. It is accordingly directed that all defects pointed out by the Stamp Reporter be removed within one month hereof.

2. The following reliefs as formulated by the petitioner have been claimed in the writ petition -

(i) Quashing of the Notice No. 3757 dated 16.07.2020 (Annexure-5) issued under Section 150 of the Customs Act, 1962 whereby a direction with regard to the disposal of the seized Chuhara (Dry Dates) through e-auction mode has been communicated and simultaneously an objection has also been invited with regard to the proposed sale of the seized goods failing which it is further contemplated that the claimant/noticee would be entitled to get only the sale proceeds of the goods;

(ii) Restraining the respondents from proceeding further in connection with e-auction of the Dry Dates seized in connection with Muzaffarpur Unit Case No. 10/2019 dated 15.11.2019; and

(iii) Direction upon the respondents to release the seized goods provisionally under Section 110(A) of the Customs Act in light o the representation dated 31.08.2020 (Annexure-6) pending till date."

3. At the outset learned counsel for the petitioner Mr. Prabhat Ranjan fairly states that the goods in question has now been released by the Customs authorities and the present writ petition need not be pursued any further.

4. Learned counsel for the respondents appears and has been heard.

5. Having regard to the stand of the petitioner, the writ petition stands disposed of.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made

by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

Chandran/-

AFR/NAFR	NAFR
CAV DATE	-
Uploading Date	26.03.2021
Transmission Date	-