

**W.P.A. 2893 OF 2021**

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**(Via Video Conference)**

Wishnet Infotech Pvt. Ltd.

-vs.-

Union of India & Ors.

Mr. Manik Lal Poddar

....For the Petitioner

Ms. Moumita Mondal

....For the Respondent  
No. 1.

Mr. Somnath Ganguli

Mr. Abhradip Maity

Ms. Priyambada Singh

Ms. Sabnam Basu.

....For the Res-  
pondents No. 2 to 4.

1. Affidavit-of-service, filed in Court, be kept with the record.
2. This is an application under Article 226 of the Constitution of India wherein the writ petitioner is aggrieved by the inaction on the part of the customs authorities in completing a hearing that has arisen due to a show-cause issued under Section 124 read with Section 28 of the Customs Act, 1962.
3. Mr. Ganguli, counsel appearing on behalf of the respondents authorities submits that several hearing dates have been given but the petitioner did not appear.
4. Without going into the merits of Mr. Ganguli's submission, I direct the respondents authorities to grant an opportunity of hearing to the petitioner and thereafter,

pass a reasoned order within a period of four weeks from date. I make it clear that a fresh notice of hearing must be served upon the petitioner within a period of three days from date. I also make it clear that the petitioner shall not take any adjournment in this matter.

5. With the above direction the writ petition is disposed of. There will be no order as to costs.

6. I make it clear that I have not gone into the merits of this case.

7. Since no affidavit-in-opposition is called for, the allegations made in the writ petition are deemed not to have been admitted.

8. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

**(Shekhar B. Saraf, J.)**