

ORDER SHEET

WPO 648 of 2021
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

KRISHNA GOPAL JAJRA AND ANR.
VS
UNION OF INDIA AND ORS

BEFORE:
The Hon'ble JUSTICE MD. NIZAMUDDIN
Date: 1st October, 2021.

(Via Video Conference)

Mr. Priyankar Saha,
Mr. Prabhat Ranjan,
Mr. Hemant Tiwari, Advs.
...for the petitioner
Mr. K.K. Maiti,
Mr. Tapan Bhanja, Advs.
...for Customs Authorities
Mr. Kaushik Dey, Adv.
...for respondent DRI

The Court: In this matter petitioner has challenged the impugned action of seizure of truck in question of the petitioner. The petitioner has also filed a supplementary affidavit annexing an application making prayer before the Authority under Section 110(2) of the Customs Act, 1962 for release of goods in question as appears at page 5 annexure P-5 to the supplementary affidavit which according to the petitioner was sent to the respondent on 19th March, 2021.

Learned advocate appearing for the respondent Customs Authorities submits that a copy of the said application/representation is not available with them but it is on record that such application has been made by the petitioner, copy of which has been provided to the respondents' counsel by annexing it to their supplementary affidavit.

Respondents are directed to consider and dispose of the said representation under Section 110(2) of the Customs Act, 1962 within a period of three weeks from the date of communication of this order in accordance with law and by passing a reasoned and

speaking order and after giving an opportunity of hearing to the petitioner or its authorised representative and communicate his decision within one week thereafter.

It is recorded that this Court has not gone into the merits of the said application/representation and the respondent shall consider the same strictly in accordance with law.

This writ petition being WPO 648 of 2021 is disposed of.

(MD. NIZAMUDDIN, J.)

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