

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Sr. No.215

CWP-1579-2021

Date of Decision: 08.04.2021

B.E OFFICE AUTOMATION PRODUCTS PVT LTD.

... Petitioner

VERSUS

UNION OF INDIA AND OTHERS

...Respondents

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MRS. JUSTICE ARCHANA PURI**

Present: Mr. Alok Mittal, Advocate,
for the petitioner.

Mr. Sunish Bindlish, Senior Standing Counsel,
for the respondent-UOI.

RITU BAHRI, J.

This petition has been filed by the petitioner in the nature of mandamus thereby seeking directions to the respondents to provisionally release the goods/container imported by it.

Learned counsel for the respondent-UOI has placed on record a copy of the show cause notice dated 24.03.2021 and judgments passed by this court in CWP-10015-2020 and CWP-11880-2020. Learned counsel states that the show cause notice dated 24.03.2021 has been issued to the petitioner under Section 124 of the Customs Act, 1962 and now the petitioner can take all its pleas before the adjudicating authorities. Learned counsel further states that as far as the application for provisional release of the goods/container of the petitioner is concerned, an application can be made before the adjudicating authorities.

Learned counsel for the petitioner states that he has already filed his reply to the show cause notice.

This Court in another case filed by the petitioner in CWP-10015-2020 titled as “*B.E. Office Automation Products Pvt. Ltd. v/s Union of India and others*” had disposed of the petition when a show cause notice had been issued. In CWP-10015-2020, the petitioner was seeking release of goods provisionally. Keeping in view that the show-cause notice had been issued, the Civil Writ Petition bearing CWP No.10015 of 2020, was disposed of by the Division Bench by giving directions to the adjudicating authorities to expedite the proceedings and pass final orders within two weeks and the petitioner was given liberty to avail the appropriate remedy, in accordance with law

The present petition is being disposed of with liberty to the petitioner to make an appropriate application for provisional release of the goods/container, in accordance with law, before the adjudicating authorities and the authorities shall dispose of the said application, within a period of two weeks. In case, the petitioner is still aggrieved by the actions of the respondents, he is at liberty to avail appropriate remedy.

(RITU BAHRI)
JUDGE

(ARCHANA PURI)
JUDGE

08.04.2021
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No