

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

Sr. No.115

CWP-10466-2021

Date of Decision: 28.05.2021

M/S SRK MANUFACTURING CO.

... Petitioner

VERSUS

COMMISSIONER OF CUSTOMS AND OTHERS

... Respondents

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

Present: Mr. Saurabh Kapoor, Advocate,
for the petitioner.

RITU BAHRI, J.

Petitioner in this petition is seeking quashing of the Panchnama dated 07.05.2021 (Annexure P-1) and 13.05.2021 (Annexure P-2), whereby the goods imported by the petitioner comprising of heavy melting scrap vide bills (Annexures P-7 to P-10) have been seized/detained by respondent No.3 i.e. Directorate of Revenue Intelligence.

The short prayer of the petitioner in this petition is that as per Section 110-A of the Customs Act, 1962, if any goods or documents or things have been seized under Section 110 by order of adjudicating authority, which in the present case is respondent No.3, the provisional release of the goods can be made by respondents No.1 and 2 after taking bonds from it (petitioner-Company) in appropriate form, security and condition, as the adjudicating authority may require.

Notice of motion.

At this stage, Mr. Sourabh Goel, Senior Panel Counsel, accepts notice on behalf of respondents No.1 and 2, and Mr. Rajesh Sethi, Advocate, accepts notice on behalf of respondent No.3.

Keeping in view the fact that the prayer of the petitioner in the present petition is restricted to direct the respondents to decide the representations dated 10.05.2021 (Annexure P-11) and 19.05.2021 (Annexure P-15) by passing a speaking order and also keeping in view the provisions of Section 110-A of the Customs Act, 1962, without expressing any opinion on the merits of the case, this petition is disposed of by giving directions to respondents No.1 and 2 to decide the representations dated 10.05.2021 and 19.05.2021 (Annexures P-11 and P-15, respectively) by passing a speaking order after giving opportunity of hearing to the petitioner, within a period of 10 days from the date of receipt of certified copy of this judgment.

(RITU BAHRI)
JUDGE

(ARCHANA PURI)
JUDGE

28.05.2021
sonu/himanshu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No