

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17437 of 2019

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1. M/s. Om Sai Trading Company House No. 25, Thane Road, Rupahi, Nagaon, Assam through its Authorized Signatory Ramashankar Maurya, Son of Jairam Maurya, Resident of Babri complex, A B C Gali, Athgaon, P.S. Bharauli Mukh, District- Guwahati, Assam.
 2. M/s. Maa Kamakhya Traders, Plot No. 82, Brahmputra Industrial Park, Sila, Sendurighopa, District- Kamru, Assam, through its Authorized Signatory, Ramashankar Maurya, Son of Jairam Maurya, Resident of Village- Babri Complex, A B C Gali, Athgaon, P.S. Bharauli, Mukh, District- Guwahati, Assam.

... .. Petitioner/s

Versus

1. The Union of India through the Chief Commissioner of Customs, Central Revenue Building, Beer Chand Patel Path, Patna.
2. The Commissioner of Customs (Preventive), HQRS, 5th Floor, Central Revenue Building, Beer Chand Patel Path, Patna.
3. The Additional Commissioner, (Adjudication), Office of the Commissioner of Customs, Central Revenue Building, Beer Chand Patel Path, Patna.
4. The Assistant Commissioner, (Adjudication), Customs(Preventive), HQRS, Office of the Chief Commissioner, Central Revenue Building, Beer Chand Patel Path, Patna.
5. The Assistant Commissioner, (Preventive), Division Forbesganj, District- Araria, Bihar.
6. The Inspector Cum Seizing Officer, Customs (P), Forbesganj, Division, Forbesganj, District- Araria, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan, Advocate
For the Respondent/s : Dr. K.N.Singh, ASG
Mr. Anshuman Singh, CGC
Mr. Sriram Krishna, JC to ASG



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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 08-12-2022 Petitioner has prayed for the following relief(s):-

“(i) Quashing of the Letter No. 5356 dated 01.08.2019 (Annexure 6) issued by the Assistant Commissioner (Adjudication), whereby the grant of extension of 3 months to issue the Show Cause Notice by the Commissioner of customs (Preventive) has been communicated to the jurisdictional Customs Authority under intimation to the petitioner also; and

(ii) Consequential direction upon the respondents to return the goods in terms of the statutory provisions under Section 110 (2) of the Customs Act, 1962; which mandates the return of the goods to the person from whose possession it was seized in the event no notice Under Clause (a) of Section 124 of the Customs Act, 1962 has not been given within six months of the seizure of the goods.”

Learned counsel for the petitioner seeks permission to withdraw the present petition, for the same having rendered infructuous.

Permission granted.

Present petition stands disposed of as withdrawn.



Interlocutory application(s), if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Spd/-Sujit

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