

16.03.2022.
Court No.13
Item No. 19
ap

**W.P.A. No. 1554 of 2022
(Through Video Conference)**

**Sukanta Mallick
Versus
Union of India & Ors.**

Mr. Abhinav Rakshit,
Ms. Senthil Kumar.

...For the petitioner.

Mr. Kaushik Dey,
Ms. Manasi Mukherjee.

...For the Respondents.

Affidavit-of-service filed in Court today be taken on record.

The writ petitioner is aggrieved by a seizure of a Live Exotic Bird (Green Winged Macaw) by the Customs Authority at Kolkata on 24th December, 2021. The bird was released on a bond executed by the petitioner.

The petitioner has declared this bird under the “Advisory for Dealing with Import of Exotic Live Species in India and Declaration of Stock”, issued by the Ministry of Environment, Forest and Climate Change (Wildlife Division), Government of India as a Progeny of already declared stock. The said application was pending consideration. It is therefore not understood as to how the petitioner could at all trade in the said bird.

It is submitted that there is no time stipulation on the Wild Life Warden to complete the process of

registration and acceptance of entries made by the bidders.

Be that as it may, the Customs Authority shall complete investigation within a period of one month from date, mandatorily and positively.

The Wild Life Warden shall ensure that the process of registration and acceptance thereof, under the aforesaid Advisory, is completed in acceptance or otherwise, of the birds registered by the petitioner. This shall be completed as expeditiously as possible, preferably within a period of three months from the date of communication of a copy of this order. The petitioner shall not be permitted to trade in the said birds until clearance by the Wildlife Warden.

Let a copy of this order be served by the Registry on the Chief Wildlife Warden of the State of West Bengal.

With the aforesaid directions, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)