

02.03.2022.
p.b.
Sl. No.23.

W.P.A. 3177 of 2022
(Through Video Conference)

Narayan Prasad Sharma
Vs.
Senior Intelligence Officer,
Directorate of Revenue Intelligence & Ors.

Mr. Ranjan Kali,
Mr. Suraj Bhattacharjee,
Ms. Nabanita Dutta.
.....for the petitioner.

Mr. Kaushik Dey.
.....for the respondent no.1.

In this matter, petitioner has challenged the impugned order of the respondent authority dated 4th February, 2022 passed on its representation in compliance of my order dated 27th January, 2022 in WPA No.1170 of 2022 which was filed by the petitioner. Petitioner is not satisfied with the reasoning given by the respondent authority in the impugned order dated 4th February, 2022. It is the grievance of the petitioner that respondent authority concerned is harassing him by issuing summons from time to time though he has responded to the summons and filed all necessary documents according to him.

Mr. Dey, learned advocate appearing on behalf of the respondent authority/Directorate of Revenue Intelligence

submits that there is involvement of smuggling of foreign origin cigarette into a large scale by the petitioner. It appears from the impugned order dated 4th February, 2022 that summon was issued on 29th November, 2021 for appearance of the petitioner on 7th December, 2021 and admittedly, the said summon has no force today. In future, if the respondent finds it necessary for summoning the petitioner, in that event the authority shall record sufficient reasoning for summoning the petitioner. If such summon is issued in case respondent feels necessary in that event petitioner will comply with the same and in case of default respondent authority will be entitled to take action as per the statute. It is clarified that this order will not come in the way of investigation in any manner whatsoever.

With this observation, this writ petition being WPA No.3177 of 2022 is disposed of without making any observation on the merit of the pending investigation.

(Md. Nizamuddin, J.)