

14.03.2022.
p.b.
Sl. No.10.

W.P.A. 3525 of 2022
with
W.P.A. 3526 of 2022

Sh. Kuldeep Singh Rajawat
Vs.
Commissioner of Customs
(Preventive) West Bengal & Ors.

Mr. Supratim Dhar,
Mr. Varun Jain,
Mr. Dhananjay Nayak.
.....for the petitioner.
Mr. Somnath Ganguli,
Mr. Sukalpa Seal.
.....for the Customs.
Mr. Kaushik Dey.
.....for the DGCI.

Heard learned advocates appearing for the parties.

In this matter, a very limited grievance has been raised by the petitioner against the respondent customs authority and D.R.I. authority concerned being aggrieved by inaction on the part of the respondents concerned in releasing the vehicle in question of the petitioner who is the owner of the same by contending that admittedly there is no any formal detention order on the vehicle in question and only the goods which is in oil tanker loaded on the said vehicle is a subject matter of seizure and in spite of more than two years have been passed, respondents have not released the vehicle of the petitioner by disregarding

their prayer for provisional release of the vehicle in question.

Both Mr. Ganguli and Mr. Dey, learned advocates appearing for the respondents customs authority and D.R.I. authority jointly submit on the basis of specific instruction from the respondent concerned that they are taking all expeditious possible steps for releasing the vehicle in question and in this regard, they have submitted a written instruction before this Court received from respondent concerned dated 30th March, 2022, a relevant portion of the said instruction is quoted hereunder:-

“In light of the above, it is to state that office is in search of Customs Bonded Warehouse with storage facility of at least 300 MT after releasing of the earlier three vehicles so that the whole consignment of oil of M/s. Gannet be kept as a whole by releasing the said all the vehicles after taking over the custody of seized goods.”

Learned advocates appearing for the respondents on the basis of the aforesaid instruction prays for 14 days time to release the vehicle in question positively and considering their such prayer and in view of the aforesaid written instruction which has been filed in Court, these two writ petitions being W.P.A. No.3525 of 2022 and W.P.A. No.3526 of 2022 are disposed of by directing the authority concerned to release the vehicle in question

positively within 14 days from date subject to compliance of all other necessary formalities.

With this observation and direction, the aforesaid writ petitions being W.P.A. No.3525 of 2022 and W.P.A. No.3526 of 2022 are disposed of.

(Md. Nizamuddin, J.)