

23-03-2022
Item No.9
Subrata

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

WPA No.3949 of 2022
Jitendra Kumar Jain
-VS-
Union of India & Ors.

Mr. Lal Mohan Hajra
Mr. Somesh Panja
Ms. Anuradha Hazra
Ms. Moutusi Hazra ...for the petitioner

Ms. Rajashree Venket Kundalia ...for respondents

Heard learned advocates appearing for the parties.

Petitioner has approached this court being aggrieved by the impugned order dated April 27, 2021 passed by the customs authority for provisional relief of the petitioner's vehicle in question on condition of submission of bond in proper form and a security of Rs.5 lakh.

Petitioner submits that there is no specific allegation by the respondents against the vehicle in question, but since the adjudication proceeding has been initiated and show-cause notice has been issued on October 4, 2021, he is agreeable to execute the bond and to furnish the bank guarantee for the said amount and prays for expeditious disposal of the pending adjudication proceeding in question.

Considering the submission of the parties, **WPA No.3949 of 2022 is disposed of** by directing the respondent concerned to release the petitioner's vehicle in question provisionally on furnishing bond and bank

guarantee of Rs.5 lakh subject to satisfaction of the officer concerned and the respondent concerned shall release the vehicle in question provisionally within 72 hours after furnishing the bond in proper form and bank guarantee for the aforesaid amount.

The respondent shall also make endeavour to complete the adjudication proceeding as expeditiously as possible, preferably within four months, without granting any unnecessary adjournment to the parties.

[Md. Nizamuddin, J]