

OD 64

ORDER SHEET

WPO 1216 of 2022
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

SHRI PRAVEEN BHADANI
Vs
UNION OF INDIA & ORS.

BEFORE:

The Hon'ble JUSTICE MD. NIZAMUDDIN

Date : 11th March, 2022

(Via Video Conference)

Mr. Arijit Chakrabarti,
Mr. Nilotpal Chowdhury,
Mr. Prabir Bera, Advs.
...for the petitioner
Mr. Bhaskar Prosad Banerjee,
Mr. Tapan Bhanja, Advs.
...for Customs Authority

The Court: Heard the learned advocates appearing for the parties.

Very short limited grievance in this writ petition raised by the petitioner is that the goods in question imported by him has not been cleared and is lying with the respondent concerned from 10th September, 2021 and till date even no show-cause has been issued, no proceeding has been initiated and the petitioner has paid all the differential duties demanded by the respondents. Under such circumstances, petitioner has made representation lastly on 17th January, 2022 for provisional release of the goods in question and it is the grievance of the petitioner that even that representation has not been disposed of and the respondent concerned are sitting over it.

Considering the submissions of the parties, this writ petition being WPO 1216 of 2022 is disposed of by directing the Commissioner of Customs (Port) /respondents concerned to consider the prayer of the petitioner for provisional release of the goods in question as per their representation dated 17th January, 2022, and pass an appropriate order for the provisional release of the goods in question in accordance with law and before taking such decision respondents concerned shall provide an effective opportunity of hearing to the petitioner by taking a reasonable stand, within three weeks from the date of communication of this order.

(MD. NIZAMUDDIN, J.)

TR/