

OD – 1

ORDER SHEET
WPO/2382/2022
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

NOOR JEWEL IMPEX
VS
THE PRINCIPAL COMMISSIONER OF CUSTOMS (AIRPORT AND
ADMINISTRATION) KOLKATA AND ORS.

BEFORE:

The Hon'ble JUSTICE MD. NIZAMUDDIN

Date : 12th August, 2022.

Appearance:
Mr. Arijit Chakrabarti, Adv.
Mr. P. Bera, Adv.
Mr. D. Banerjee, Adv.
Mr. Syed Wasim Faruque, Adv.
...For the Petitioner
Mr. Kaushik Dey, Adv.
Mr. Tapan Bhanja, Adv.
...For the Customs Authority
Mr. Rama Chakraborty, Adv.
...for Union of India

The Court : Heard learned advocates appearing for the parties.

Mr. Chakrabarti, learned counsel for the petitioner makes an innocuous prayer for a direction of this Court upon the respondent Principal Commissioner of Customs (Airport & Administration) for disposal of the petitioner's representation dated 12th July, 2022 appearing at page 142 of the writ petition.

Mr. Dey, learned advocate appearing for the respondents opposes such prayer of the petitioner by contending that since related appeal is pending and that on earlier occasion similar representation was considered by the Authority concerned, I am not convinced with such submission of Mr. Dey since there is no bar in considering the

representation dated 12th July, 2022 even if any connected appeal is pending or on earlier occasion similar representation has been considered, this Court is not inclined to pass any order in exercise of the writ jurisdiction or directing the respondents concerned to pass an order either in favour of the petitioner or against the petitioner on the said representation. It is upto the respondent Authority to consider the said representation dated 12th July, 2022 in accordance with law and on merit. Respondent concerned shall consider and dispose of the aforesaid representation within three weeks from the date of communication of this order by passing a reasoned and speaking order and after giving opportunity of hearing to the petitioner or its authorised representative.

With this observation, this writ petition being WPO 2382 of 2022 stands disposed of.

(MD. NIZAMUDDIN, J.)

