

ORDER SHEET
WPO/2527/2022
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

SUNNY KASHYAP
VS
UNION OF INDIA AND ORS

BEFORE:

The Hon'ble JUSTICE MD. NIZAMUDDIN

Date : 14TH SEPTEMBER, 2022.

APPEARANCE:

Mr. Nilotpal Chowdhury, Adv.
Mr. Debaditya Banerjee, Adv.
Mr. Syed Wasim Farque, Adv.
..for the petitioner

Mr. Pradip Paul, Adv.
..for the Union of India

Mr. B.P. Banerjee, Adv.
Mr. Abhradip Maity, Adv.
..for the respondent No. 3

Mr. Kaushik Dey, Adv.
..for the respondent No. 4

The Court: Affidavit of service filed by the petitioner in Court today be kept with the record.

Heard learned Counsel appearing for the parties.

This writ petition has been filed by the petitioner being aggrieved by inaction on the part of the respondents Customs Authority concerned in disposing of the petitioner's representation dated 29th July, 2022 making prayer for release of the seized vehicle in question provisionally.

Considering the submissions of the parties, this writ petition being WPO No. 2527 of 2022 is disposed of by directing the Additional Commissioner of Customs (Preventive/respondent No. 3) to consider and dispose of the aforesaid representation of the petitioner dated 29th July, 2022 in accordance with law and by passing reasoned and speaking order and after giving opportunity of hearing to the petitioner or its authorised representative within two weeks from date.

If petitioner is able to make out the case in accordance with law and fulfil statutory criteria for provisional release of the seized vehicle in question, in that case the same shall be released immediately.

(MD. NIZAMUDDIN, J.)