

18.12.2023

Sl no. 17

Ct no. 2

P.M.

WPA 27258 OF 2023

Harshad Bhogilal Mehta

- Vs -

Commissioner of Customs (Port) & Ors.

Mr. Sudhir Mehta,

Mr. A. Bapari

... for the petitioner

Mr. Prithu Dudhoria

... for Union of India.

Mr. Kaushik Dey,

Mr. Tapan Bhanja

... for DRI Authorities

Mr. Bhaskar Prosad Banerjee,

Mr. Abhradip Maity

.... for respondent No. 1 and 2

Heard learned advocates appearing for the parties.

By this writ petition petitioner has challenged the impugned notice of hearing dated 28th November, 2023 issued by the respondent Customs authority at Delhi and also the impugned show-cause notice dated 12th March, 2015 which has been issued more eight years back.

So far as the impugned show-cause notice is concerned which has been issued more than eight years back, I am not inclined to interfere with the same and the impugned notice of hearing which has been issued by the authority at Delhi on the ground of lack of jurisdiction I am not inclined to entertain this writ petition.

Even an order has been showed by Mr. Mehta, learned advocate appearing for the petitioner that Hon'ble Delhi High Court has stayed such type of show-cause notice and notice of hearing in WP(C) No. 16126 of 2023 where I find that the same notices were issued to five entities and one of them among the is petitioner himself and all the five entities have their registered business in Calcutta and in that interim order dated 14th December, 2023 one of the petitioner was from Calcutta and he challenged the same at Delhi High Court and since petitioner is one of them it should also challenged the same in Delhi High Court.

In view of the discussion made above this writ petition being WPA 27258 of 2023 is dismissed on the ground of lack of territorial jurisdiction without going into the merit of the case.

(Md. Nizamuddin, J.)