

ORDER SHEET

WPO/229/2023
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

M/S. JAI MATA DI PARIVAHAN PVT. LTD. & ORS.
VS
UNION OF INDIA AND ORS.

BEFORE:
The Hon'ble JUSTICE MD. NIZAMUDDIN
Date: 3rd February, 2023.

Appearance:
Mr. Rishabh Karnani, Adv.
Mr. Anurag Bagaria, Adv.
...For the Petitioner
Mr. K.K. Maiti, Adv.
Mr. Tapan Bhanja, Adv.
...For Customs Authorities

The Court: Heard learned counsel appearing for the parties.

Affidavit of service filed in Court be kept with the records.

By this writ petition, petitioner has challenged the impugned order in original dated 29th December, 2022 passed by the Additional Commissioner of Customs on the ground of violation of principles of natural justice by not considering the adjournment petition filed by the authorised representative of the petitioner which is on record. Without going into the merit of the case, only on the ground of violation of principles of natural justice, the aforesaid impugned order is set aside and the matter is remanded back to the respondent Authority concerned to pass a fresh, reasoned and speaking order in accordance with law after giving opportunity of hearing to the petitioner or its authorised representative, within a period of eight weeks from the date of communication of the order.

It is observed that no unnecessary adjournment should be granted to the petitioner and the final order should be passed within the time stipulated herein and if petitioner does not appear on the date fixed for hearing, the respondent Authority shall be free to pass ex parte order.

With these observations and directions, this writ petition being WPO 229 of 2023 stands disposed of.

(MD. NIZAMUDDIN, J.)

TR/

