Serial No. 01
Daily List

HIGH COURT OF MEGHALAYA
AT SHILLONG

MC(WA) No. 63 of 2024

Date of order: 25.11.2024

Shri. Bikash Soni

....Applicant

- Versus -

1. Union of India,
Through Ministry of Finance, Department of Revenue,
North Eastern Region, M.G. Road, Shillong,
Meghalaya - 793001

2. The Commissioner of Customs, Office of Commissioner of Customs (Preventive), Customs House, 110 MG Road, Shillong, Meghalaya.

3. Office of the Commissioner of Customs,
A/S Unit, Imphal, Manipur.

...Respondents/Appellants

Coram:
Hon'ble Mr. Justice I.P. Mukerji, Chief Justice
Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Applicant : Mr. D.S. Chanda, Adv. with
Mr. B. Deb, Adv.

For the Respondents : Dr. N. Mozika, DSGI with
Ms. L.M.D. Marak, Adv.
Ms. N.A.U. Sogra, Adv.

This appeal was admitted by an order of this Court dated 9th May, 2024.

We have fixed the appeal for hearing on 10th December, 2024.

Let the appeal be listed accordingly.

In the meantime, Advocate-on-Record for the appellants shall prepare and file an informal paper-book in this Court by 6th December,

2024 and serve a copy thereof on Advocate-on-Record for the respondent by that date.

In the meantime, the respondent has taken out a miscellaneous application. Learned counsel appearing for the respondent expresses the apprehension that since there is no stay of the departmental adjudication, the appellants will proceed to adjudicate upon the show-cause and proceed to sell the seized gold bangle.

In the interim order dated 9th May, 2024 passed in the appeal, we find that the appellants were permitted to retain the gold bangle seized until further orders of this Court.

True, there is no stay of the adjudication. At this stage, we cannot even consider any stay of such proceedings.

However, even if there is conclusion of the adjudication before disposal of the appeal, the appellants shall continue to retain the gold bangle till disposal of the appeal or until further orders of the Court, whichever is earlier.

The miscellaneous application [MC(WA) No. 63 of 2024] is disposed of accordingly.

(W. Diengdoh)
Judge

(I.P. Mukerji)
Chief Justice

Signature Not Verified
Digitally signed by SYLVANA LIZ KHARBHIH
Date: 2024.11.25 17:47:20 IST