

13.03.2024

Sl no. 15

Ct no. 2

P.M.

WPA 3019 OF 2024

**Shri Narayan Prasad Sharma, Proprietor of
M/s. Shyam Trading Company.**

- Vs -

Union of India & Ors.

Mr. Ashoke Bhowmick,

Mr. H. K. Pandey,

Mr. N. Chowdhury

... for the petitioner

Mr. K. K. Maiti,

Ms. Aishwarya Rajyashree

... for the Customs authority

Mr. Om Narayan Rai,

Mr. Tapan Bhanja

... for Union of India

Affidavit of service filed by the petitioners is kept with the record.

Heard learned advocates appearing for the parties.

By this writ petition petitioner has challenged the impugned order in original dated 11th December, 2023 passed by the respondent Joint Commissioner of Customs which is an appellable order under the statute and in view of availability of alternative remedy by way of appeal, I am not inclined to pass any order in this writ petition extending the time by four weeks as prayed for by learned advocate appearing for the petitioner to file the statutory appeal.

If petitioner files the statutory appeal within the time stipulated herein, the appellate authority

shall consider and dispose of such appeal on merit by not raising the point of limitation.

If petitioner fails to file within the time stipulated herein this order will not have any force.

It is clarified that this Court has not gone into the merit of the impugned order in original and this writ petition has not been entertained only on the ground of availability of alternative remedy.

With this observation this writ petition being WPA 3019 of 2024 is disposed of.

(Md. Nizamuddin, J.)