

02.01.2024
PB
Sl. No.18.

WPA 28851 of 2023

M/s. Shree Amarnath Enterprises & Anr.
Vs
Union of India & Ors.

Mr. Prabir Bera,
Mr. D. Banerjee,
Mr. Syed Wasim Faruque,
Mr. Deepak Sharma.
... For the Petitioners.
Mr. Aryak Dutt,
Mr. P. Dudharia.
.....for the UOI.
Mr. K. K. Maiti.
.....for the DRI.
Ms. Ekta Sinha.
.....for the Customs.

Heard learned advocates appearing for the parties.

The grievance of the petitioner is that its representation filed on 21st May, 2023, before the respondent customs authority has not been considered till date.

Mr. Maiti, learned advocate representing the respondent DRI authorities submits that after filing of the aforesaid representation, there is further progress in the matter that petitioner has been issued a show-cause notice on 6th October, 2023, to which petitioner has not responded till date, though time to give

response to the said show-cause notice was one month.

Considering the facts and circumstances of the case and submission of the parties, I am not inclined to grant any relief to the petitioner except extending the time to file reply to the aforesaid show-cause notice dated 6th October, 2023, by two weeks from date and if such reply is filed, the respondent authority concerned shall consider and dispose the same in accordance with law and by passing a reasoned and speaking order after giving opportunity of hearing to the petitioner or its authorized representatives, within four weeks from the date of receipt of such reply. In case of failure on the part of the petitioner to submit any reply to the impugned show-cause notice within the time stipulated, the respondent authority concerned will be free to proceed against the petitioner in accordance with law.

With this observation and direction, this writ petition being WPA 28851 of 2023 is disposed of.

(Md. Nizamuddin, J.)