

ORDER SHEET

WPO/123/2024
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

CHANDI RANA
VS
UNION OF INDIA AND ORS

BEFORE:
The Hon'ble JUSTICE MD. NIZAMUDDIN
Date: 3rd April, 2024.

Appearance:
Mr. Biswajit Mukherjee, Adv.
Mr. Soumyajit Mishra, Adv.
...For the Petitioner

Mr. Aryak Dutt, Adv.
Mr. Soumen Bhattacharya, Adv.
...for respondent no. 1

Mr. K.K. Maiti, Adv.
Mr. Tapan Bhanja, Adv.
...for the Customs Authority

The Court: Heard learned advocates appearing for the parties.

By this writ petition, petitioner has challenged the impugned order in original dated 15th January, 2024 passed by the respondent Customs Authority. It is an appealable order under the statute. Petitioner submits that since on the issue involved in the impugned adjudication order, one matter from the Hon'ble Punjab and Haryana High Court is pending before the Hon'ble Supreme Court the respondent Customs Authority should have kept the matter in abeyance and should have treated the case as call book case in view of the Master Circular of the department dated 20th March, 2017.

Since the petitioner has approached this Court after passing the impugned appealable adjudication order, I am of the view that now at this stage question of treating the matter as call book case does not arise and appropriate remedy for the petitioner is to approach the statutory appellate forum.

Accordingly, this writ petition being WPO 123 of 2024 is dismissed on the ground of availability of alternative remedy by way of statutory appeal.

(MD. NIZAMUDDIN, J.)

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