

ORDER SHEET

WPO/277/2024
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

PRASANTA BHUNIA
VS
UNION OF INDIA AND ORS.

BEFORE:

The Hon'ble JUSTICE MD. NIZAMUDDIN

Date: 9th April, 2024.

Appearance:

Mr. Nilotpal Chowdhury, Adv.

Mr. Debadityo Banerjee, Adv.

Mr. Deepak Sharma, Adv.

...For the Petitioner

Mr. Smarajit Roy Chowdhury, Adv.

...For Union of India

Mr. Uday Sankar Bhattacharya, Adv.

Mr. Abhradip Maity, Adv.

...For Customs Authority

The Court: Heard learned advocates appearing for the parties.

Petitioner has filed this writ petition being aggrieved by inaction on the part of the respondent Customs Authority in releasing the seized gold and currency in question in spite of the order of the appellate authority dated 27th December, 2019 where such seizure has been declared illegal and petitioner further submits that the impugned order of the first appellate authority was challenged by the department before the Tribunal which has already been dismissed though on the ground of monetary limit.

Considering the facts and circumstances of the case and submission of the parties, this writ petition being WPO 277 of 2024 is disposed of by directing the respondent Customs Authority concerned to release the seized gold and currency in question by implementing the aforesaid order of the appellate authority dated 27th December, 2019 which is binding upon the

Customs Authority concerned being the subordinate authority, within a period of four weeks from the date of communication of this order.

Affidavit of service filed in Court be kept on record.

(MD. NIZAMUDDIN, J.)

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