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WPO/151/2025
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

Robot Mining Equipments Pvt. Ltd.
Versus
Union of India & Ors.

Before:

The Hon'ble JUSTICE RAJA BASU CHOWDHURY

Date: 13th May 2025

Appearance:

Ms. Micky Chowdhary, Advocate

Mr. B. N. Pal, Advocate

Mr. Pratyush Chatterjee, Advocate
for the petitioner

Mr. Kaushik Dey, Advocate

Mr. Abhradip Maity, Advocate
for Customs Port

The Court: 1. The instant writ petition has been filed inter alia praying for a direction upon the respondents to consider the petitioner's representations dated 25th November 2024 and 28th January 2025, and to direct payment of interest on delayed refund from 2014 to 7th October 2024.

2. Ms. Chowdhary, learned advocate representing the petitioner by drawing attention of this Court to the order in original dated 13th September 2024 would submit that it is an admitted position that the Commissioner of Customs (Appeals) by the order dated 5th June 2023 had observed that the petitioner had made payment of extra duty and interest amounting to Rs.15,51,033/- to the DRI Authority against the impugned five bill of entries which ought to be refunded and had

accordingly sanctioned the refund of the said amount of Rs.15,51,033/-. Pursuant to the aforesaid order the said amount of Rs.15,51,033 has been refunded to the petitioner vide order in original dated 13th September 2024. It is submitted that the respondents had withheld the said amount for approximately 10 years and as such the petitioners are entitled to interest for the delayed refund. Representations in this regard have been made on behalf of the petitioner and the respondents are yet to consider the same.

3. Mr. Dey, learned advocate representing the respondents would submit that steps have already been taken to redress the petitioner's grievance by considering the representations.

4. Having heard the learned advocates representing the parties and considering the fact that the petitioner has already applied before the customs authority by making two several representations dated 25th November 2024 and 28th January 2025, I am of the view that the respondents should expeditiously hear out and dispose of the representations by passing a reasoned order upon giving an opportunity of hearing to the petitioner. Such decision must be taken not later than twelve weeks from the date of communication of this order.

5. The writ petition is accordingly disposed of. There shall be no order as to costs.

(RAJA BASU CHOWDHURY, J.)