

OD-04

WPO/363/2025
THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

Ansuman Mukherjee, Proprietor of M/s. Nakshatra Exim
Versus
Union of India & Ors.

BEFORE:

The Hon'ble JUSTICE RAJA BASU CHOWDHURY

Date: 31st July 2025

Appearance:

Mr. Arijit Chakrabarti, Advocate

Mr. Debaditya Banerjee, Advocate

Mr. S. Bhattacharjee, Advocate

Mr. Prithwijit Sharma, Advocate

Ms. Swati Singh, Advocate

for the petitioner

Mr. Uday Sankar Bhattacharya, Advocate

Mr. Abhradip Maity, Advocate

for the Customs

Mr. Rajesh Kr. Shah, Advocate

for the UOI

The Court: 1. Mr. Bhattacharya, learned advocate representing the respondents on instruction submits that the petitioner for being entitled to a provisional order of release, an appropriate application under section 110A of the Customs Act, 1962 ought to be filed.

2. Having regard to such submissions made by Mr. Bhattacharya and noting from the submission of Mr. Chakraborti, learned advocate for the petitioner who now only seeks for release of the goods on provisional basis and considering the materials on record, I am of the view that the petitioner shall be at liberty to file an application before the appropriate authority seeking provisional release. In the event such application is

filed with the appropriate authority within a period of 10 days from date, the appropriate authority shall, having regard to the observation made hereinabove, hear out such application and dispose of the same in accordance with law within a period of two weeks from the date of filing such application.

3. The instant writ petition is accordingly disposed of.

(RAJA BASU CHOWDHURY, J.)

R. Bose