

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/743/2025

SACHIN MUNSHI PROPRIETOR OF M/S TIRUPATI UDYOG
VS
UNION OF INDIA AND ORS.

BEFORE:

The Hon'ble JUSTICE OM NARAYAN RAI

Date : 23rd December, 2025.

Appearance:

*Mr. Nilotpal Chowdhury, Adv.
...for the petitioner.*

*Mr. Kaushik Dey, Adv.
Mr. Anurag Roy, Adv.
...for the respondent customs authorities*

*Mr. Amal Kumar datta, Adv.
...for the union of india.*

The Court: The petitioner seeks issuance of a writ of mandamus directing the respondents to “forthwith withdraw/rescind/cancel” an order dated June 9, 2025 passed under Section 110(1) of the Customs Act, 1962. It is further submitted by the petitioner that goods imported by the petitioner have been seized by the respondents and despite several representations requesting for provisional release thereof, the respondent authorities have not taken steps for releasing the goods in terms of the request made.

Attention of this Court is invited to the series of representations annexed to the writ petition, the last whereof is dated August 22, 2025 (Annexure P-6 at pages 52 to 55 of the writ petition).

Having heard the learned Counsel appearing for the respective parties and having considered the material on record, this Court is of the view that since an application requesting for provisional release of the goods has already been made before the respondent/customs authorities in terms of

Section 110A of the Customs Act of 1962, the same should be considered and disposed of by the respondents authorities in accordance with law.

Accordingly, the additional commissioner of customs i.e. respondent no.3 is requested to consider and dispose of the representation dated August 22, 2025, (Annexure P-6 at pages 52 to 55 of the writ petition) strictly in accordance with law within a period of four weeks from the date of communication of this order, upon giving an opportunity of hearing to the petitioner.

It is made clear that this Court has not gone into the merits of the case and the said respondent shall be free to take independent decision in the matter, strictly in accordance with law.

WPO 743 of 2025 stands disposed with the above observations.

No costs.

(OM NARAYAN RAI, J.)

S. A.
AR (CR)