

GAHC010291732023



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/7582/2023

HARI KISHAN AND ANR
S/O- LATE HUKUM CHAND,
R/O- NEAR YADAV DHARMASHALA,
BHATI GATE, JHAJJAR,
P.O. AND P.S.- JHAJJAR,
DIST.- JHAJJAR, HARYANA,
PIN- 124103.

2: RAJ RANI
W/O- HARI KISHAN

R/O- NEAR YADAV DHARMASHALA

BHATI GATE
JHAJJAR

P.O. AND P.S.- JHAJJAR

DIST.- JHAJJAR
HARYANA

PIN- 124103

VERSUS

UNION OF INDIA AND 5 ORS
THROUGH THE SECRETARY
CENTRAL BOARD OF INDIRECT TAXES AND CUSTOMS,
DEPARTMENT OF REVENUE,
MINISTRY OF FINANCE,
GOVT. OF INDIA,
NEW DELHI- 110001.

2:THE DIRECTOR GENERAL

DIRECTORATE OF REVENUE INTELLIGENCE
GOVERNMENT OF INDIA
ZONAL UNIT
DRUM SHAPE BUILDING

I.P. BHAVAN
I.P. ESTATE

NEW DELHI- 110002.

3:THE COMMISSIONER OF CUSTOMS (PREVENTIVE)
NORTH-EAST REGION
CUSTOM HOUSE-110

M.G. ROAD
SHILLONG- 793001

MEGHALAYA.

4:ADDITIONAL/ JOINT COMMISSIOER OF CUSTOMS (PREVENTIVE)
NORTH-EASTERN REGION

SHILLONG
GOVERNMENT OF INDIA

MINISTRY OF FINANCE (DEPARTMENT OF REVENUE).

5:ADDITIONAL DIRECTOR GENERAL OF DIRECTORATE OF REVENUE
INTELLIGENCE
GUWAHATI
ZONAL UNIT
MAINAAK TOWERS
GROUND AND FIRST FLOOR

G.S. ROAD
CHRISTIAN BASTI
GUWAHATI- 781005
ASSAM.

6:THE SENIOR INTELLIEGENCE OFFICER
DIRECTORATE OF REVENUE INTELLIGENCE
GUWAHATI

ZONAL UNIT
MAINAAK TOWER

GROUND AND FIRST FLOOR
G.S. ROAD

CHRISTIAN BASTI
GUWAHATI- 781005
ASSAM

Advocate for the Petitioner : MR. S C BISWAS

Advocate for the Respondent : SC, DRI

BEFORE
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

22.12.2023

Heard Mr. S.C. Biswas, learned counsel for the petitioners and Ms. M. Deka, learned counsel representing Mr. S.C. Keyal, learned Standing Counsel, Customs Department for all the respondents.

2. It is the case of the petitioners that when the petitioners were travelling by Agartala Anand Bihar Terminal Tejas Rajdhani Express on 19.09.2023, 2 [two] nos. of gold chains of identical size, weighing 235.960 in total, were seized by the officials of the respondent Customs Department. Seeking direction to the authorities in the respondent Customs Department to take immediate steps to dispose of the application dated 09.10.2023, submitted by the petitioners, and to forward the matter for adjudication under Section 110A of the Customs Act, 1962 to the Additional/Joint Commissioner of Customs [Preventive], North Eastern Region, Shillong immediately, the instant writ petition has been preferred.

3. Issue notice, returnable on 10.01.2024.

4. As all the respondents have appeared and accepted notices through the learned counsel, no formal notice need to be issued to the respondents. The learned counsel for the petitioners shall furnish requisite nos. of extra copies of the writ petition along with the annexures, to the learned counsel for the respondents during the course of the day. .

5. List the case on 10.01.2024.

JUDGE

Comparing Assistant