

3.1.2023

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sl. 38 & 39

WPA 21840 of 2018

CAN/1/2020, CAN2/2020, CAN3/2020,
CAN/4/2021, CAN/5/2022
Allied ICD Services Ltd.

Vs

Com. of Customs (Prev), WB & Ors.

With

WPA 10617 of 2021

Mr. J.P. Khaitan, Ld. Sr. Adv.,
Mr. K. Thaker,
Mr. D. Ghatak

... For the Petitioner.

Mr. U.S. Bhattacharya,
Mr. Bhaskar Prosad Banerjee,
Mr. K.K. Maiti,
Mr. Tapan Bhanja,
Ms. A. Rajyashree

... For the Respondents.

Mrs. C. Alam

... For the UOI.

Heard both the parties.

In these writ petitions issues involve for
adjudication are:

- i) Impugned cost recovery charges ;
- ii) Renewal of customs licence; and
- iii) Interest on impugned cost recovery charges.

So far as issue of cost recovery charge is
concerned, Mr. Khaitan, learned senior Advocate
appearing for the petitioner on instructions submits
that petitioner is ready and willing to get the issue
adjudicated by the respondent authority concerned
and does not press for adjudication by this court and
on two other issues, petitioner wants adjudication
from this court.

In view of the submission made by Mr. Khaitan, learned senior Advocate appearing for the petitioner the respondents concerned shall adjudicate the issue of impugned cost recovery charge in accordance with law and by passing a reasoned and speaking order after giving an opportunity of hearing to the petitioner or its authorised representative within eight weeks from the date of communication of this order.

So far as the aforesaid issue nos. 2 and 3, both the parties will file short written notes of argument and the matter will be listed for final hearing in the monthly list of March, 2023.

The issue of cost recovery charges shall be adjudicated on condition of payment of cost recovery charges by the petitioner without prejudice to its rights.

(Md. Nizamuddin, J.)