

IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 1087 of 2026

Vijay Kumar Sharma
Versus
Union of India & Anr.

Mr. Biswarup Ray
... For the petitioner.

Mr. Ratan Banik
Mr. Biswaraj Agarwal
... For the respondents.

1. Challenging the order passed under Section 110A of the Customs Act, 1962 (hereinafter referred to as the “said Act”) to the extent the same directs provisional release of the seized vehicle upon security deposit/bank guarantee equivalent to 15% of the value of the seized vehicle, the instant writ petition has been filed.
2. Learned advocate for the petitioner would insist that this Court should direct release of vehicle without insisting for bank guarantee.
3. Having heard the learned advocates appearing for the respective parties and since Mr. Banik, learned advocate appearing for the respondents would submit that a show cause notice under Section 124 of the said Act, has already been issued on 14th May, 2026 and since an alternative remedy in the form of an appeal is available under Section 128 of the said Act, I am of the view that no fruitful purpose will be serve in keeping the writ petition

on the file and the same is dispose of with liberty to the petitioner to approach the appellate authority, if so advised. The petitioner shall also be at liberty to respond to the show cause within a period of thirty days from date.

4. Let it also be recorded that a copy of the show cause has been made over to the learned advocate-on-record of the petitioner by Mr. Banik, learned advocate in Court today.

Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance with the requisite formalities.

(Raja Basu Chowdhury, J.)