



IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/258/2025

ABHIJEET AGARWAL
AND
PRINCIPAL COMMISSIONER OF CUSTOMS & ORS.

BEFORE :
THE HON'BLE JUSTICE RAJA BASU CHOWDHURY
Date : 22nd May, 2025

Appearance:

Mr. Sudhir Mehta, Sr. Adv.
Mr. Anurag Bagaria, Adv.
....for the petitioner
Mr. Bhaskar Prosad Banerjee, Adv.
Mr. Kaustav Kanti Maity, Adv.
...for the respondents

The Court :- 1. Praying, inter alia, for a direction upon the respondents to release the goods covered under the four bills of entry being nos.7567133, 7682317, 7958643 and 8100307 dated 01.01.2025, 08.01.2025, 23.01.2025 and 30.01.2025 respectively forming annexure 'P-3' collectively to the writ petition and for a direction upon the respondents to forthwith issue demurrage waiver certificate under 6(1)(l) of Handling of Cargo in Customs Area Regulation, 2009, the writ petition has been filed.

2. Having heard the learned Advocates appearing for the respective parties and noting the submission of Mr. Banerjee that the investigation is in progress, I am of the view that in the event the petitioner applies before the respondent/appropriate authority under the provision of Handling of Cargo in Customs Area Regulation, 2009, the appropriate authority taking note of the fact that the investigation is in progress shall consider the issuance of a waiver certificate under 6(1)(l) of Handling of Cargo in Customs Area Regulation, 2009. Such decision shall be taken within a period of three days from the date of filing of such application.

3. List this matter in the monthly list of June, 2025.

(RAJA BASU CHOWDHURY, J.)