

OD-4

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO/455/2024

SUBHAS CHAND
Versus
THE COMMISSIONER OF CUSTOMS (PORT)
KOLKATA AND ANR.

BEFORE

The Hon'ble Justice RAJA BASU CHOWDHURY

Date: 15th July, 2024.

Appearance

Mr. Shovendu Banerjee, Adv.

Mr. Soumyajit Mishra, Adv.

... for the petitioner

Mr. Kaushik Dey, Adv.

Mr. Tapan Bharja, Adv.

...for the Customs authority

Mr. Smanajit Roy Choudhury, Adv.

Mr. Manabendranath Bandyopadhyay, Adv.

...for U.O.I.

THE COURT: The petitioner challenges the order in original dated 29th February, 2024, passed by the Assistant Commissioner of Customs (Port), Custom House, Kolkata, which arises out of a show cause notice dated 9th April, 2010, issued by the Additional Director General, Directorate of Revenue Intelligence, Zonal Unit, Rupen Bungalow, Nr. Jain Merchant Society, Paldi, Ahmedabad-380007. The petitioner complains that the respondents initially did not supply the petitioner with the copies of the documents relied on. However, subsequently when the same was supplied to the petitioner under cover

of a letter dated 29th March, 2023, in compact disc format, inspection of the physical copy of the documents was not offered. The petitioner complains of violation of principles of natural justice.

Since it is the contention of the petitioner that the office of the Additional Director General, Directorate of Revenue Intelligence, Zonal Unit, Rupen Bungalow, Nr. Jain Merchant Society, Paldi, Ahmedabad-380007, was responsible for not affording the petitioner with the opportunity to seek inspection of documents, let the Additional Director General, Directorate of Revenue Intelligence, Zonal Unit, Rupen Bungalow, Nr. Jain Merchant Society, Paldi, Ahmedabad-380007, be added a party respondent to the present writ petition.

The Advocate-on-Record of the petitioner is granted liberty to correct the cause title.

Mr. Dey, learned Advocate representing the respondent nos. 1 and 2 accepts service on behalf of the said respondent.

Mr. Dey is directed to take appropriate instructions in the matter.

List this matter on 29th July, 2024 under the same heading for further consideration.

(RAJA BASU CHOWDHURY, J.)