

OD-5

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO/712/2025

DHAWAL VORA AND ANR
VS
UNION OF INDIA AND ORS.

BEFORE:

The Hon'ble JUSTICE OM NARAYAN RAI

Date : 13th November, 2025.

Appearance:

Ms. Micky Chowdhury, Adv.

Mr. B. N. Pal, Adv.

...for the petitioners

Mr. Bhaskar Prosad Banerjee, Adv.

Mr. Kaustav Kanti Maity, Adv.

...for the respondent/customs authority

The Court:- The petitioner assails an order dated March 17, 2025 passed by the appellate authority under Section 128 of the Customs Act, 1962 whereby the petitioners appeal against an order in original dated September 9, 2024 was dismissed.

Learned Advocate appearing for the petitioners submits that the order impugned has been passed in absolute derogation of the principles of natural justice in as much as no notice of hearing of the appeal was ever given to the petitioner.

Having regard to the facts of the present case, this Court deems it fit to direct the respondent No.3 to file a Report in the form of an affidavit disclosing the documents in support of the observation of the appellate authority at page 9 of the order impugned to the effect that "Personal Hearing in the matter was granted to the appellant as well as respondent on 17.12.2024, 27.12.2024 and 20.01.2025. Neither appellant nor respondent

or any representative on behalf of the respondent appeared in the hearing on the aforementioned dates”.

Such Report shall be filed within two weeks from date.

List this matter for further consideration on December 1, 2025.

A copy of the Report shall be served upon the learned Advocate appearing for the petitioner prior to the returnable date.

The respondent No.3 shall be free to take appropriate information and copies of relevant documents from the appellate authority for the purpose of preparing the Report.

(OM NARAYAN RAI, J.)

S. A.
AR (CR)