

14 10.09.  
ns 2018

**W.P. 17460 (W) of 2018**

**Emami Agrotech Ltd.**

**Vs.**

**Union of India & Ors.**

Mr. Pratap Chatterjee, Sr. Adv.,  
Mr. Abhishek Banerjee ... for the Petitioner.

Mr. Tapan Bhanja ... for Union of India.

Mr. Kaushik Dey ... for the DRI.

Mr. Amitabrata Roy,  
Mr. Bhaskar Prosad Banerjee .... For respondents.

Mr. N. C. Bihani ... for the corporation.

Mr. Animesh Das ... for the respondent no.9.

The petitioner complains that, the goods seized by the customs authorities are perishable in nature and that, the custom authorities are delaying the disposal of an application made under Section 110A of the Customs Act, 1962 unnecessarily.

The respondents are represented.

The allegations made by the petitioner are denied by the respondents.

Be that as it may, since the goods are perishable in nature and the petitioner has applied under Section 110A of the Act of 1962 on August 29, 2018 and the customs authorities has issued a notice of hearing for

September 11, 2018, it would be appropriate to direct the customs authorities to consider and dispose of such proceedings as expeditiously as possible preferably within three weeks from August 29, 2018 as provided by the order passed on August 24, 2018 in WP No.15609(W) of 2018.

Needless to say that, the customs authorities will adhere to the principles of natural justice. It will afford a reasonable opportunity of hearing to the petitioner. It is at liberty to hear such other parties and consult such other documents that it deems appropriate. In the event, it consults any document or hears other parties other than the petitioner, it will put the petitioner upon notice with regard thereto.

WP No.17460(W) of 2018 is disposed of.

No order as to costs.

All points raised in the writ petition by the parties are kept open.

Urgent certified website copies of this order, if applied for, be made available to the parties upon compliance of the requisite formalities.

*( Debangsu Basak, J. )*