



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-1690-2025

Date of decision: 22.01.2025

M/s Shanus Impex, (Proprietorship Sudershan Kumar Batra)

....Petitioner

Versus

The Assistant Commissioner of Customs, Land Customs Station ICP
Attari, Amritsar (PB)

....Respondent

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MRS. JUSTICE SUDEEPTI SHARMA**

Present: Mr. Vikrant Kackria, Advocate, and
Mr. Sachin Jain, Advocate,
for the petitioner.

ARUN PALLI, J. (Oral)

A Certiorari is prayed for, to quash the order/communication dated 07.01.2025 (P-4), vide which, petitioner was informed about non-release of a consignment of 30,000 Kgs of fresh garlic that was seized in Amritsar, vide Panchnama dated 18.12.2024 (P-2).

Having argued the matter at some length, learned counsel for the petitioner concedes that the impugned order/communication is appealable under Section 128 of the Customs Act, 1962. However, he submits, for the seized goods are perishable in nature and the matter being time sensitive, the petitioner has approached this Court.

Served with the advance copy of the petition, Mr. Sunish Bindlish, Senior Standing Counsel, along with Mr. Sagar Ratusaria, Junior Standing Counsel, for the respondent, is present in Court. At the outset, he submits, for the petitioner has a statutory remedy of appeal, it ought to have approached the Appellate Authority, in the first instance. Be that as it may, he, as always, fairly submits that in the event, any such appeal is filed, the same shall be taken cognizance of, forthwith. And,



appropriate orders, in accordance with law, shall be passed without any further loss of time.

That being so, learned counsel for the petitioner submits that he be permitted to withdraw the petition with liberty to the petitioner to avail the remedy of appeal.

Ordered accordingly.

(ARUN PALLI)
JUDGE

(SUDEEPTI SHARMA)
JUDGE

22.01.2025

Ak Sharma

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No