

**IN THE CUSTOMS, EXCISE & SERVICE TAX APPELLATE TRIBUNAL,
KOLKATA**

REGIONAL BENCH – COURT NO.2

Customs Appeal No.37 of 2012

(Arising out of Order-in-Original No.Kol/Cus/Airport/Admn./9/2011 dated 03.11.2011 passed by Commr. of Customs, Kolkata)

CC (Port), Kolkata

15/1 Strand Road, Kolkata 700001

Applicant

VERSUS

M/s Krishna Shipping Agency

135A, BRB Basu Road, Canning Street, 1st Floor, Kolkata 700001

Respondent

APPEARANCE :

Shri S.S.Chattopadhyay, Authorized Representative for the Appellant
Shri Arnab Chakraborty, Advocate for the Respondent

CORAM:

HON'BLE MR. P.K.CHOUDHARY, MEMBER (JUDICIAL)

HON'BLE MR.P.VENKATA SUBBA RAO, MEMBER (TECHNICAL)

FINAL ORDER NO...76759/2019

DATE OF HEARING : 28.11.2019

DATE OF DECISION : 28.11.2019

PER P.V.Subba Rao :

This appeal has been filed by the Revenue against the impugned Order in-Original No.Kol/Cus/Airport/Admn./9/2011 dated 03.11.2011, issued by Commissioner of Customs (Airport & Admn.), revoking the suspension of the CHA Licence of the respondent, M/s Krishna Shipping Agency. It is the position of the Revenue that the order of revocation of suspension issued by the Commissioner is not correct.

2. The Ld.Counsel for the respondent, submits that the present appeal has become infructuous as subsequent to the suspension order and its revocation, a show-cause notice has been issued and the CHA Licence of the respondent has been revoked by the Revenue. Such revocation of CHA Licence has been over-returned by this Tribunal by Final Order No.FO/A/76045/2016 dated 15.09.2016. Following the order of this Tribunal, the Customs House has restored the Licence of

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the respondent by the Customs House Broker Circular No.149/2016 dated 28.12.2016.

3. After hearing both sides and considering the above facts, we find that since the final decision had already been taken by this Bench on the revocation of licence, the present appeal challenging revocation of suspension of the Customs House Broker Licence by the impugned order is infructuous.

4. In the result, appeal filed by the Revenue is dismissed as infructuous.

(Dictated and pronounced in the open court)

(P. K. Choudhary)
Member (Judicial)

(P.V.SUBBA RAO)
Member (Technical)

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