

F.No.275/14/2022-CX.8A
Government of India
Ministry of Finance
Department of Revenue
Central Board of Indirect Taxes & Customs
(Legal Cell)

'C' Wing, 5th Floor, HUDCO-VISHALA Building
Bhikaji Cama Place, R.K. Puram,
New Delhi, the 08th July, 2022

Instruction

To,

1. Principal Chief Commissioner of CGST, Mumbai
2. Principal Chief/ Chief Commissioners of Customs, Mumbai-I, II & III
3. <webmaster.cbcc@icegate.gov.in>

Sir/Madam,

Sub: Conduct of HC Litigation Monitoring Fortnight from 14.07.2022 to 27.07.2022.-reg.

The undersigned has been directed to refer to the order dated 16.06.2022 in WP No.352/2011 of Hon'ble Bombay High Court in the case of Jaspal Singh Chandok v. Union of India and Ors (copy available on HC website), wherein Hon'ble Court has expressed its anguish on the non-appearance of counsels in many matters of Customs. The Hon'ble Court noted that if any matter is adjourned due to the absence of any representative, the Court shall impose costs, which is to be recovered from the salary of the Principal Chief Commissioner concerned.

2. In this regard, it has been ascertained that in many old matters pertaining to indirect taxation before Hon'ble Bombay High Court, even the counter-affidavit has not been filed as yet. Further, in many cases the counsels have ceased to be on panel, as most of these cases are prior to year 2007-08, when the indirect tax matters were represented by counsels appointed by the M/o Law & Justice, as the present scheme of empanelment of Sr/Jr Standing Counsel was introduced in the year 2007-08.

3. Accordingly, for safeguarding the interests of Revenue, it has been decided to conduct a two-week, **HC Litigation Monitoring Fortnight** from 14.07.2022 to 27.07.2022. Following shall be observed during the fortnight:-

- i. Review of all the cases pending with each Commissionerate would be conducted, especially the old cases (cases which are more than 10 years old i.e. filed prior to 01.01.2012.)
- ii. Wherever the counsels have ceased to be on panel, new counsel shall be allotted as per extant Instructions.
- iii. It would be ensured that necessary affidavits would be filed in all such old cases during the said fortnight.