

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

CUSTOMS APPEAL NO. 17 OF 2014

R. A. Zaidi	}	Appellant
versus		
Union of India and Ors.	}	Respondents

Mr. S. Suryanarayanan with Mr. Dhiren Akbari
for the Appellant.

Mr. Pradeep S. Jetly for the Respondent.

**CORAM :- S. C. DHARMADHIKARI &
N.W.SAMBRE, JJ.**
DATED :- FEBRUARY 12, 2015

P.C. :-

After this Appeal was heard for some time, at the request of the learned Counsel appearing for the Appellant, we grant leave to withdraw the Appeal, with liberty to raise all contentions in the pending Revenue's Appeal being Customs Appeal No. 54 of 2013.

2) The apprehension of the Appellant's Counsel is that unconditional withdrawal of this Appeal would not enable the Appellant to argue and oppose the Revenue's Appeal being Customs Appeal No. 54 of 2013. We clarify that irrespective of withdrawal of this Appeal, the Respondent to that Appeal and the Appellant before us can raise all contentions to support the reasoning of the Tribunal in reduction of

penalty. With this clarification, the Appeal is allowed to be withdrawn.

No costs.

(N.W.SAMBRE, J.)

(S.C.DHARMADHIKARI, J.)