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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.1370 OF 2016 IN
CUSTOMS APPEAL NO.43 OF 2016**

The Principal Commissioner of Customs (Import)	... Applicant
<u>In the matter between</u>	
The Principal Commissioner of Customs (Import)	... Appellant
Vs.	
Mahanagar Telephone Nigam Ltd.	... Respondent

Mr. Pradeep S. Jetly for the Applicant.
Mr. Prakash Shah a/w Mr. Jas Sanghavi i/by PDS Legal for the Respondent.

CORAM : A.S. OKA &
RIYAZ I. CHAGLA, JJ.

DATE : 9th AUGUST, 2017

PC.

1 Heard the learned counsel appearing for the parties. Perused the order of the Apex Court by which an Appeal was admitted against the decision of the Division Bench of Delhi High Court in the case of *Aman Medical Products Ltd. Vs. Commissioner of Customs, Delhi*¹.

2 The Respondent is a Public Sector Undertaking and therefore, even if the Appellant succeeds in the Appeal, there can always be a restitution. Hence, no case is made out for grant of any interim relief. Notice of Motion is disposed of.

(RIYAZ I. CHAGLA, J)

(A.S. OKA, J)

1 2010(250) E.L.T. 30 (Del.)