

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

**NOTICE OF MOTION (L) No. 1376 OF 2017
IN
CUSTOM APPEAL No. 32 OF 2009**

The Commissioner of Customs (Preventive),
Mumbai
v/s.

.. Applicant/Appellant

Kapoor Jewellers Pvt. Ltd. & Anr.

..Respondents

Mr.Pradeep S. Jetly i/b. Sham V. Walve for the Applicant/ Appellant.
Mr.S.N.Biradkar i/b. Parag Shelke for the Respondent.

**CORAM : ANOOP V. MOHTA &
SMT. ANUJA PRABHUDESSAI, JJ.
DATED : JULY 11, 2017.**

ORDER :

1. This motion is taken out by the appellant for recalling of the impugned order dated 18th June, 2017, based upon the averments and by referring to the Orders and provisions of law in this regard.
2. The learned Counsel appearing for the respondent no.1 conceded to the position. Therefore, the notice of motion is allowed in terms of prayer clauses (a) and (b).
3. The notice of motion is accordingly disposed of with no order

as to costs.

4. The appeal be listed on the final hearing board as per its turn.

(ANUJA PRABHUDESSAI, J.)

(ANOOP V. MOHTA, J.)