

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9080 OF 2018

Komal Exotic Spices Pvt. Ltd. Petitioner
Vs.
Union of India & Others Respondents

AND

WRIT PETITION NO.9082 OF 2018

Kejal Enterprise Petitioner
Vs.
Union of India & Others Respondents

AND

WRIT PETITION NO.9084 OF 2018

Radha V. Company Petitioner
Vs.
Union of India & Others Respondents

AND

WRIT PETITION NO.9085 OF 2018

Aaradhana Marketing Pvt. Ltd. Petitioner
Vs.
Union of India & Others Respondents

Dr. Sujay Kantawala with Mr. Kartik Vig i/by Mr. Ashwani
Kumar Prabhakar for the Petitioner in all petitions.
Mr. Pradeep S. Jetly for Respondent Nos.1 to 3 in all
petitions.

CORAM: S.C. DHARMADHIKARI &
SMT. BHARATI H. DANGRE, JJ.

DATE : AUGUST 14, 2018

P.C:

1. Having heard both sides and finding that the issue raised in these petitions stand concluded by Division Bench orders, dated 11-1-2018 and 17-1-2018, passed in Civil Writ Petition No.11747 of 2017 and Civil Writ Petition No.13927 of 2017 respectively, these writ petitions are disposed of in the following terms:

(i) On the respective petitioner in each of these petitions executing a bond equal to 150% of the value of the goods and furnishing a Bank Guarantee in the sum equivalent to 30% of the assessable value, both within a period of two weeks, as stated and undertaken, the Competent Authority shall pass an order on the pending application seeking a Detention Certificate and release the goods in favour of the respective petitioner. The Bank Guarantee shall be kept alive till final orders of the

Competent Authority;

(ii) Needless to clarify that this would be without prejudice to the rights and contentions of both sides, particularly on the merits of the controversy;

(iii) While disposing of these petitions with these directions, we clarify that we have not expressed any opinion on the rival contentions on the issues and they are kept open;

(iv) The authority to issue the requisite Detention Certificate forthwith, if the respective petitioner furnishes bond and Bank Guarantee, as stipulated in clause 1(i) above.

2. The petitions are disposed of accordingly.

(SMT. BHARATI H. DANGRE, J.)

(S.C. DHARMADHIKARI, J.)

Suresh
Jagdish
Sajnawat

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by Suresh
Jagdish Sajnawat
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2018.08.21
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