

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.7413 OF 2018

Rudra Traders	.. Petitioner
Versus	
Union of India & ors	.. Respondents

...

Mr.Sujay Kantawalla with Anupam Dighe, Ms.Chandni Tanna
I/b India Law Alliance for the petitioner.
Mr. Pradeep S. Jetly for respondent nos.1 to 3.

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

DATED : 16th JULY 2018

P.C:-

1 Having heard both sides and finding that the issue raised in this petition stands concluded by Division Bench orders passed in Writ Petition No.11747 of 2017 and Writ Petition No.13927 of 2017 decided on 11th January 2018 and 17th January 2018, this writ petition is disposed of in following terms :

(i) On the petitioner executing a bond equal to 150% of the value of the goods and furnishing a bank guarantee in the sum equal 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 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 this petition with these directions, we clarify that we have not expressed any opinion on the rival contentions on the issues noted by us and they are kept open;

(iv) The authority to issue the requisite Detention Certificate forthwith, if petitioner furnishes bond and bank guarantee, as stipulated in clause 2(i) above.

3 The Petition is disposed of accordingly.

(SMT. BHARATI H. DANGRE, J.) (S.C. DHARMADHIKARI, J.)