

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 9759 OF 2017

M/s. Diamond Overseas	Petitioner
V/s.	
Union of India	Respondent

Mr. Sarvesh Kumar Mathur for the petitioner.
Mr. Jitendra B. Mishra for the respondent.

**CORAM : S.C. DHARMADHIKARI &
SMT. ANUJA PRABHUDESSAI, JJ.**

DATE : 24TH APRIL, 2018

P.C.:

. After this petition was filed and in which the prayer is made to release the drawback amount of Rs.63,29,162/- with applicable interest for the period from 16th October, 2014 to 19th April, 2017, the petitioner has been paid and released a sum of Rs.26,32,574/-.

2. The rest of the amount is stated to be wrongfully withheld. However, it is stated by the petitioner that the issue is pending before the Appellate Authority. In view thereof and in the light of the documents tendered by Mr. Jitendra Mishra which are collectively marked as 'Exhibit-A', the counsel for the petitioner seeks leave to withdraw the Writ Petition with liberty to raise all contentions in the

pending appeal. The Writ Petition is allowed to be withdrawn with liberty as prayed. We make it clear that we have not held that the petitioner is not entitled to the entire sum claimed and the amount released is in full and final settlement of all sums claimed. The petitioner can raise all contentions as permissible in law before the Appellate Authority.

3. The Writ Petition stand disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)

(S.C. DHARMADHIKARI, J.)