

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

WRIT PETITION NO. 13879 OF 2017

Prashant Asrani & Ors.

... Petitioners

V/s.

Commissioner of Customs (NS-II)

... Respondent

Ms. Urvi Dare for the Petitioner.

Ms. P.S. Cadozo for the Respondent.

**CORAM : S.C.DHARMADHIKARI &
PRAKASH D. NAIK, JJ.**

DATE : 09th APRIL, 2018

P.C.:

. The Writ Petition is directed against the order in Original dated 23.07.2017.

2 It is conceded that against this Order, the Petitioner can file an Appeal to the CESTAT, Regional Bench at Mumbai under Section 129D of the Customs Act, 1962.

3 Once the Petitioners have an alternate and equally efficacious remedy of an Appeal and which they have failed to avail of and the issues are also factual, then the Writ Petition cannot be entertained. It is disposed of on the ground that Petitioners have an alternate equally efficacious remedy to challenge the order in original.

(PRAKASH D. NAIK, J.)

(S.C.DHARMADHIKARI, J.)