

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 13927 OF 2017

Moonlife Mercantile Pvt. Ltd.

..Petitioner

versus

Union of India & Anr.

..Respondents

Mr. Sujay Kantawala with Anupam Dhige, Brijesh Pathak, Chandni Tanna, Bhakti Date and Kartik Vig i/b. India Law Alliance for Petitioner.
Mr. Pradeep Jetly for Respondents.

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

DATE : 17TH JANUARY, 2018

P. C. :

1] Having heard both the sides, we find that this case is on par with the petitioner in Writ Petition No.11747 of 2017 (M/s. Unik Traders vs. Union of India & Ors.) which has been disposed of by us on 11th January 2018.

2] Mr. Jetly on instructions states that one container has already been cleared by the petitioner but for the balance containers if the petitioner complies with the conditions imposed in the order passed by this Court in the case of M/s. Unik Traders (supra), the goods would be provisionally released as also a detention certificate as desired would be issued promptly.

3] We accept these statements as undertakings to this Court. Since these statements are made on instructions, we leave it to the petitioner to approach the Competent Authority and obtain release of the goods in terms of the order passed in M/s. Unik Traders (supra) and by due compliance with the conditions imposed in the order passed by this Court.

4] The Writ Petition is disposed of by clarifying that all contentions on merits are kept open. The action of the respondents in releasing the goods provisionally as also the petitioner in obtaining them conditionally or otherwise shall be without prejudice to their respective rights and contentions.

(SMT. BHARATI H. DANGRE, J.)

(S. C. DHARMADHIKARI, J.)

Chandka