

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 510 2018

Jalaldeen Harron Abbhas	}	Petitioner
versus		
The Commissioner of	}	
Customs (preventive/	}	
Adjudication) and Anr.	}	Respondents

Mr. T. Chezhiyan i/b. Mr. Chetan S. Damre
for the petitioner.

Mr. Pradeep S. Jetly for the respondents.

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

DATED :- MARCH 12, 2018

P.C. :-

1. After having heard the petitioner's advocate at some length and perusing also the affidavit in reply filed on behalf of the respondents and hearing Mr. Jetly learned counsel appearing for the department, we clarified to the petitioner's advocate that we are not inclined at this stage to consider the issue of the power vesting in the authorities and particularly the provisions invoked so as to seize the goods. When this was made clear to the counsel appearing for the petitioner, the only request then made was that the goods, which are seized, be provisionally released and an order in that behalf be passed as expeditiously as possible.

2. It is only on this limited request that we have heard both sides and after hearing them, we dispose of this petition by a direction that the present petition with all its annexures shall be treated as a request/application in writing for provisional release of goods. Let that request be considered as expeditiously as possible and an order be made in accordance with law. Such an order be passed within a period of two weeks from the date of communication of this order.

3. The writ petition is disposed of by clarifying that the rival contentions on merits have not been examined by us.

(PRAKASH.D.NAIK, J.)

(S.C.DHARMADHIKARI, J.)