

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

WRIT PETITION NO. 3944 OF 2019

M/s. Spectra Global Ltd.

.. Petitioner

v/s.

Dy. Commissioner of Customs (Import)
& Anr.

.. Respondents

Mr. Chirag Shetty I/b H.R. Shetty & Co. for the petitioner
Mr. Sham Walve a/w Mr. Ram Ochani for the respondents

**CORAM : M.S. SANKLECHA &
S.C. GUPTE, J.J.**

DATED : 7th AUGUST, 2019

P.C.

1. This petition under Article 226 of the Constitution of India makes a grievance of the respondent not dealing with or disposing of the petitioner's application dated 6th December, 2018 seeking re-export of imported goods. This on the basis of the petitioner being an unpaid seller of the goods.

2. Mr. Walve, learned Counsel appearing for the respondents, on instructions, states that the representation as filed by the petitioners was not addressed to the proper officer and, therefore, it remained to be

disposed of. According to the respondents, the representation had to be addressed to the Deputy Commissioner of Customs, Appraising Group 2, 1st Floor, Air Cargo Complex, Sahar, Andheri (E), Mumbai – 400 099.

3. Mr. Shetty states that they will make a fresh representation addressed to the Assessing Officer as mentioned hereinabove. Needless to state, the respondents would decide the claim of the petitioner as expeditiously as possible after following the principles of natural justice.

4. In view of the above, Mr. Shetty, on instructions, withdraws the petition.

5. The petition is disposed of as withdrawn.

(S.C. GUPTE, J.)

(M.S. SANKLECHA, J.)