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FARAD CONTINUATION SHEET No.

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

WRIT PETITION NO.1899 OF 2017

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.R.A.Dada, Senior Counsel and Mr.Vipulkumar Jain
and Mr.P.K.Shetty for the Petitioner
Mr.Anil Singh, ASG and Mr.Pradeep Jetly and
Mr.J.B.Mishra for the Respondent.

CORAM : A.S.OKA, &
M.S.SANKLECHA,JJ
DATE : MARCH 14, 2019

P.C.

1 Heard the learned senior counsel for the petitioner. Against the impugned order dated 28th February 2017, there is an efficacious remedy available to prefer an appeal under section 129-A of the Customs Act,1962. The learned senior counsel for the petitioner submits that the first petitioner has virtually become bankrupt. His second submission is that other parties have preferred appeals which are already heard and the Judgment is awaited.

2 When an efficacious statutory remedy is available, a Writ Petition under Article 226 of the Constitution of India need not be entertained. Accordingly, we decline to entertain this Writ Petition. Writ Petition is disposed of.

3 The statutory remedy of the petitioner is kept open. If an appeal is preferred by the petitioner, the concerned Appellate Authority is bound to note that the present petition is lodged in this Court on 1st June 2017 and the same remained pending till today. All contentions on merits are kept open.

(M.S.SANKLECHA,J.)

(A.S.OKA,J.)