

In the High Court of Judicature at Madras

Dated: 27.02.2019

Coram

The Honourable Dr.JUSTICE ANITA SUMANTH

W.P.Nos. 4403, 4417, 4428, 4432, 4712, 4719, 4721, 4722, 4726, 4826, 4830, 4838, 4908, 4912, 4916, 4923, 4926, 4932, 4941, 4956, 4961, 4964, 4985, 4990, 4993, 5041, 5043, 5046, 5048, 5079, 5084, 5088, 5091, 5093, 5098, 5101, 5102, 5107, 5108, 5112, 5113, 5117, 5119, 5137, 5167, 5323, 5332, 5335, 5339, 5340, 5342, 5344, 5345, 5348, 5357, 5359, 5370, 5379, 5383, 5385, 5388, 5400, 5377 5390, 5481 and 5494 of 2019 & connected WMPs.

I M/S.ROYAL IMPEX,
NO.38, ACHARAPPAN STREET,
2ND FLOOR, CHENNAI - 600 001
REPRESENTED BY ITS PARTNER SMT.MARIYAM SIRAJ
..... PETITIONER W.P.NO.4403 OF 2019

1 M/S.ROYAL IMPEX
NO.38 ACHARAPPAN STREET 2ND FLOOR CHENNAI
600 001 REP BY ITS PARTNER SMT.MARIYAM SIRAJ
.... PETITIONER in WP No.4417 of 2019

1 M/S. ROYAL IMPEX
NO. 38 ACHARAPPAN STREET 2ND FLOOR
CHENNAI - 600001 REP. BY ITS PARTNER SMT.
MARIYAM SIRAJ
.... PETITIONER in WP No.4428 of 2019

1 M/S. ROYAL IMPEX
NO. 38 ACHARAPPAN STREET 2ND FLOOR
CHENNAI - 600001 REP. BY ITS PARTNER SMT.
MARIYAM SIRAJ
... PETITIONER in WP No.4432 of 2019

1 KARUMURI PULSES
REP. BY PROPRIETOR MRS. MANJULA KARUMURI
FIRST FLOOR NEW NO.105 OLD NO. 51-1/45
ACHARAPPAN STREET CHENNAI 6000 01.
... PETITIONER in WP No.4712 of 2019

1 KARUMURI PULSES
REP. BY PROPRIETOR MRS. MANJULA KARUMURI
FIRST FLOOR NEW NO.105 OLD NO. 51-1/45
ACHARAPPAN STREET CHENNAI 6000 01.
... PETITIONER in WP No.4719 of 2019

- 1 KARUMURI PULSES
REP. BY PROPRIETOR MRS. MANJULA KARUMURI
FIRST FLOOR NEW NO.105 OLD NO. 51-1/45
ACHARAPPAN STREET CHENNAI 6000 01.
... PETITIONER in WP No.4721 of 2019
- 1 KARUMURI PULSES
REP. BY PROPRIETOR MRS. MANJULA KARUMURI
FIRST FLOOR NEW NO.105 OLD NO. 51-1/45
ACHARAPPAN STREET CHENNAI 6000 01.
... PETITIONER in WP No.4722 of 2019
- 1 KARUMURI PULSES
REP. BY PROPRIETOR MRS. MANJULA KARUMURI
FIRST FLOOR NEW NO.105 OLD NO. 51-1/45
ACHARAPPAN STREET CHENNAI 6000 01.
... PETITIONER in WP No.4726 of 2019
- 1 M/S. SRI VENKATESHWARA TRADERS
REP. BY PROPRIETOR MR. J.M.KUMARAVEL
NO. 27/ 4 ELLAYA MUDALI STREET TONDIARPET
CHENNAI - 600081
... PETITIONER in WP No.4826 of 2019
- 1 V.M.V. TRADERS
REP. BY MANAGING PARTNER MR.V.MAMALAIVASAN
17/ 1 SENIAMMAN KOIL STREET TONDIARPET
CHENNAI - 600081
... PETITIONER in WP No.4830 of 2019
- 1 GOYAL INTERNATIONAL
REP. BY ITS POWER OF ATTORNEY HOLDER MR.
VIVEK GOYAL NO. 79 ACHARAPPAN STREET 1ST
FLOOR CHENNAI - 600001
... PETITIONER in WP No.4838 of 2019
- 1 M/S. CRESCENT VENTURES PVT.
LTD. 26/ 65 3RD FLOOR THATHA MUTHIAPPAN
STREET GEORGE TOWN CHENNAI REP. BY ITS
DIRECTOR/ AUTHORISED SIGNATORY SHRI. A.
MOHAMED RAFIQ.
... PETITIONER in WP No.4908 of 2019
- 1 M/S. VASUMATHY TRADERS
NO. 3/ 1221 SATTUR ROAD VIRUDHUNAGAR REP.
BY ITS PARTNER SHRI. S.SATHEESH KUMAR
... PETITIONER in WP No.4912 of 2019

- 1 M/S. HIRA TRADERS
NO. 89/ 2 OLD NO. 44/ 2 VARADA MUTHAIAPPAN
STREET CHENNAI - 600001 REP. BY ITS
PARTNER SHRI HAJI SUMAR KUDUS
... PETITIONER in WP No.4916 of 2019
- 1 M/S.VASUMATHY TRADERS
NO.3/1221 SATTUR ROAD VIRUDHUNAGAR REP BY
ITS PARTNER SHRI.S.SATHEESH KUMAR
... PETITIONER in WP No.4923 of 2019
- 1 M/S.RUBY OVERSEAS
NO.141 (OLD NO.68) GOVINDAPPA NAICKEN ST
CHENNAI-01 REP BY ITS PARTNER SHRI NAUSHAD
YUNUS
... PETITIONER in WP No.4926 of 2019
- 1 M/S.MAHALAKSHMI TRADERS
NO.161/3 ADAMS SAHIB ST ROYAPURAM CHENNAI-
13 REP BY ITS PROPRIETOR SHRI.B.THANGARAJAN
... PETITIONER in WP No.4932 of 2019
- 1 M/S.O.M.S.P.COLUMBUS AND PARTNERS
REP. BY PARTNER SHUNMUGHARAJAN NO.7-
A/1 PATEL ROAD VIRUDHUNAGAR TAMIL NADU
INDIA.
... PETITIONER in WP No.4941 of 2019
- 1 M/S.RUBY OVERSEAS
NO.141 (OLD NO.68) GOVINDAPPA NAICKEN
STREET CHENNAI 600 001 REP BY ITS PARTNER
SHRI NAUSHAD YUNUS
... PETITIONER in WP No.4956 of 2019
- 1 M/S.SANTHI TRADERS
NO.161/3 ADAM SAHIB STREET ROYAPURAM
CHENNAI -13 TAMILNADU REP BY ITS
PROPRIETOR MS.SANTHI THANGARAJAN
... PETITIONER in WP No.4961 of 2019
- 1 M/S.PUSHPAM TRADERS
NO.3/1221 SATTUR ROAD VIRUDHUNAGAR-626001
REP BY ITS PARTNER SHRI.S.SATHEESH KUMAR
... PETITIONER in WP No.4964 of 2019

- 1 M/S. MAHALAKSHMI TRADERS
NO. 161/ 3 ADAMS SAHIB STREET ROYAPURAM
CHENNAI - 600013 REP. BY PROPRIETOR B.
THANGARAJAN
... PETITIONER in WP No.4985 of 2019
- 1 M/S. ASIA MARKETING
17/ 1 RC BUILDING KAMPTEE ROAD NAGPUR
MAHARASTRA - 440001 REP. BY ITS PARTNER MR.
ABHISHEK JHA
... PETITIONER in WP No.4990 of 2019
- 1 M/S. PUSHAM TRADERS
NO. 3/ 1221 SATTUR ROAD VIRUDHUNAGAR -
626001 REP. BY ITS PARTNER S.SATHEESH KUMAR
... PETITIONER in WP No.4993 of 2019
- 1 M/S.D.G.ENTERPRISES
REP. BY AUTHORISED SIGNATORY P.J.KAVITHA
NO. 69/ 11 ACHARAPPAN STREET CHENNAI - 1
... PETITIONER in WP No.5041 of 2019
- 1 M/S. AMRR MAHARAJA DHALL MIL
LS REP. BY ITS PARTNER MR.C.ARUNJUNAI
RAJAVEL W-8/ 290/ 29 ESWAR NAGAR
UNJAMPATTI VILLAGE THENI
... PETITIONER in WP No.5043 of 2019
- 1 M/S. KUMAR DHALL MILL
REP. BY ITS PARTNER MR. R.CHANDRAKUMAR NO.
727 PERIYAKULAM ROAD THENI
... PETITIONER in WP No.5046 of 2019
- 1 M/S. SUNSHINE IMPEX
REP. BY ITS PARTNER MR.FAYAZ AHMED NO. 38
OLD NO. 62 MOHANPURAM VEGETABLE OLD MARKET
PORT BLAIR ANDAMAN - 744101
... PETITIONER in WP No.5048 of 2019
- 1 M/S.R.R.AGRI IMPEX
REP BY ITS PROPRIETOR R.ROHITH KUMAR NO.72
GOVINDAPPAN NAICKEN ST CHENNAI-1
... PETITIONER in WP No.5079 of 2019
- 1 M/S. H.S.TRADING COMPANY
2991 BEHIN RAJKAMAL TALKIES POST BOX NO.
57 DHULE - 424001 MAHARASHTRA REP. BY ITS
PARTNER SHRI HAJI HUSSEN IMTIYAZ
... PETITIONER in WP No.5084 of 2019

- 1 M/S. VASUMATHY TRADERS
NO. 3/ 1221 SATTUR ROAD VIRDHUNAGAR REP.
BY ITS PARTNER SHRI. S.SATHEESH KUMAR
... PETITIONER in WP No.5088 of 2019
- 1 M/S.SEEMA TRADERS
REP BY ITS PROPRIETOR YAHID KUDUS HADFA NO.
42 ACHARAPPAN ST CHENNAI-01
... PETITIONER in WP No.5091 of 2019
- 1 M/S.PUSHPAM TRADERS
NO. 3/ 1221 SATTUR ROAD VIRDHUNAGAR REP.
BY ITS PARTNER SHRI. S.SATHEESH KUMAR
... PETITIONER in WP No.5093 of 2019
- 1 M/S.KUMAR DHALL MILL
REP BY ITS PARTNER R.CHANDRAKUMAR NO.727
PERIYAKULAM RD THENI
... PETITIONER in WP No.5098 of 2019
- 1 M/S.AAREL IMPORT EXPORT PVT
LTD REP. BY ITS DIRECTOR RAKESH RAJENDRA
JAIN A-2 UNIT NO.29 GROUND FLOOR SHAH
NAHAR INDUSTRIAL ESTATE LOWER PAREL
MUMBAI- 400 013.
... PETITIONER in WP No.5101 of 2019
- 1 M/S.VINAYAGA IMPEX
REP BY ITS PROPRIETOR GURUNADHA RAO
SIKHAKOLI NO.40 ACHARAPPAN ST R.NO.13
2ND FLOOR CHENNAI-01
... PETITIONER in WP No.5102 of 2019
- 1 M/S.AAREL IMPORT EXPORT PVT
LTD REP. BY ITS DIRECTOR RAKESH RAJENDRA
JAIN A-2 UNIT NO.29 GROUND FLOOR SHAH
NAHAR INDUSTRIAL ESTATE LOWER PAREL
MUMBAI- 400 013.
... PETITIONER in WP No.5107 of 2019
- 1 M/S.AYYANAR EXPORTS
REP BY ITS PROPRIETOR VIJAYA NO.456P SIRAJ
COMPLEX ANNA SALAI KEELAVASAL
TANJORE- 613001.
... PETITIONER IN WP.NO.5108 OF 2019

- 1 M/S.KUMAR DHAL MILL
REP BY ITS PARTNER R.CHANDRAKUMAR NO.727
PERIYAKULAM RD THENI
... PETITIONER in WP No.5112 of 2019
- 1 M/S.C.P.FOODS
REP. BY ITS PARTNER S.MANIKANDA PRABU NO.52
SOUTH CAR STREET VIRUDHUNAGAR - 626001
TAMIL NADU.
... PETITIONER in WP No.5113 of 2019
- 1 M/S.ANNAI AGRO AGENCY
REP BY ITS PROPRIETOR PADMINI NO.9(2E) G.A.
ROAD OLD WASHERMENPET CHENNAI-21
... PETITIONER in WP No.5117 of 2019
- 1 M/S.D.G.ENTERPRISES
REP BY AUTHORISED SIGNATORY P.J.KAVITHA NO.
69/11 ACHARAPPAN ST CHENNAI-1
... PETITIONER in WP No.5119 of 2019
- 1 M/S.RAJNI EXPORTS AND IMPORTS
REP BY ITS PARTNER MRS.SOWBHAYA W/O.RAJIV
NAARAM NO.157 AND 158 FIRST FLOOR B
SRINIVASANKUMAR STREET GOLDEN GEORGE NAGAR
NERKUNDRAM CHENNAI
... PETITIONER in WP No.5137 of 2019
- 1 KARUMURI PULSES
REP BY PROPRIETOR MRS.MANJULAKARUMURI FIRST
FLOOR NEW NO.105 OLD NO.51-1/45 ACHARAPPAN
STREET CHENNAI 600 001
... PETITIONER in WP No.5167 of 2019
- 1 M/S.SIDDHARTH TRADERS
123/2 AUDIAPPA NAICKEN ST II FLOOR
SOWCARPET CHENNAI-79 REPRESENTED BY ITS
PROPRIETOR SHRI VEERCHAND BHARATH KUMAR
... PETITIONER in WP No.5323 of 2019
- 1 M/S.SIDDHARTH TRADERS
123/2 AUDIAPPA NAICKEN ST II FLOOR
SOWCARPET CHENNAI-79 REPRESENTED BY ITS
PROPRIETOR SHRI VEERCHAND BHARATH KUMAR
... PETITIONER in WP No.5332 of 2019

- 1 M/S.HAJI TRADERS
NO.68/5 FIRST FLOOR ACHARAPPAN ST
CHENNAI- 01 REP BY ITS PARTNER MR.HAJI AMIN
... PETITIONER in WP No.5335 of 2019
- 1 M/S. SIDDHARTH TRADERS
123/ 2 AUDIAPPA NAICKEN STREET II FLOOR
SOWCARPET CHENNAI - 600079 REP. BY ITS
PROPRIETOR SHRI. VEERCHAND BHARATH KUMAR
... PETITIONER in WP No.5339 of 2019
- 1 M/S.PUSHPAM TRADERS
NO.3/1221 SATTUR RD VIRUDHUNAGAR- 626 001
REP BY ITS PARTNER SHRI.S.SATHEESH KUMAR
.... PETITIONER in WP No.5340 of 2019
- 1 M/S. H.S.TRADING COMPANY
2991 BEHIND RAJKAMAL TALKIES POST BOX NO.
57 DHULE - 424001 MAHARASHTRA REP. BY ITS
PARTNER SHRI HAJI HUSSEN IMTIYAZ
... PETITIONER in WP No.5342 of 2019
- 1 M/S.MOORTHYTRADERS
NO.3/1223 SATTUR ROAD VIRUDHUNAGAR- 626
002 TAMIL NADU REP BY ITS PROPRIETOR SHRI.S.
RAMAMOORTHY
... PETITIONER in WP No.5344 of 2019
- 1 M/S. HAJI TRADERS
NO. 68/ 5 FIRST FLOOR ACARAPPAN STREET
CHENNAI - 600001 REP. BY ITS PARTNER SHRI
HAJI AMIN
... PETITIONER in WP No.5345 of 2019
- 1 M/S. K.R.M.RAMADEVI ENTERPRI
SES PVT. LTD. 41/ 5 PLOT NO. 16 ANDAL
NAGAR KADAPAKKAM PONNERI HIGH ROAD
MANALAI NEW TOWN CHENNAI - 600013 REP. BY
ITS DIRECTOR MR.K.R. MANIKANDAN
... PETITIONER in WP No.5348 of 2019
- 1 M/S. KRISHNA IMPEX
REP BY MANAGING PARTNER MR.JASTI HARISH NO.
231 /1D 232/4D 232/5D NEAR INFANT JESUS
CHURCH VICHOR VILLAGE VICHOR CHENNAI
600 103 TAMILNADU INDIA
... PETITIONER in WP No.5357 of 2019

- 1 M/S. V.N.MOORTHY AND CO.
NO. 366 RAMAMOORTHY ROAD VIRUDHUNAGAR -
626001 REP. BY ITS PROPRIETRIX K.PREMALATHA
... PETITIONER in WP No.5359 of 2019
- 1 M/S. PRITESH TRADING CO
REP. BY ITS PROPRIETOR MR. PRITESH NANDU D-
8 APMC MARKET NO. 2 DANABUNDER VASHI
NAVI MUMBAI - 400703
... PETITIONER in WP No.5370 of 2019
- 1 M/S. MAITRI INTERNATIONAL
REP. BY ITS PROPRIETOR MR. HEMAN SHANTILAL
NANDU SHOP NO. 12/ E MARKET YARD LATUR/
MAH. 413512
... PETITIONER in WP No.5379 of 2019
- 1 M/S. N.V.R. AND CO
REP. BY ITS PROPRIETRIX VIVEKANANDAM
VASANTHY NO.4/441 KULLURCHANDAI ROAD
VIRUDHUNAGAR 626 001
... PETITIONER in WP No.5383 of 2019
- 1 M/S. PRITESH TRADING CO
REP. BY ITS PROPRIETOR MR. PRITESH NANDU D-
8 APMC MARKET NO. 2 DANABUNDER VASHI
NAVI MUMBAI - 400703
... PETITIONER in WP No.5385 of 2019
- 1 M/S. SHRI LAKSHMI DHALL MILL
REP. BY ITS PARTNER S.SOMASUNDARAM B-7/
208E COSMOS CLUB ROAD UNJAMPATTY
THENI - 625531
... PETITIONER in WP No.5388 of 2019
- 1 M/S. MAITRI INTERNATIONAL
REP. BY ITS PROPRIETOR HEMAN SHANTILAL NANDU
SHOP NO.12/E. MARKET YARD LATUR/MAH.
413512
... PETITIONER in WP No.5400 of 2019
- 1 M/S.GOLDEN POLAS INTERNATIONAL
AL REP BY ITS PARTNER MR.P.DILIP KUMAR NO
23/65 SATTAN NAICKEN STREET CHOOLAI
CHENNAI-112
... PETITIONER in WP No.5377 of 2019

1 M/S. SENTHIL TRADERS
REP. BY ITS PARTNER R.DHANALAKSHMI NO.93/1
ARUPPUKOTTAI ROAD VIRUDHUNAGAR 626 002
TAMILNADU.

... PETITIONER in WP No.5390 of 2019

1 M/S. VELU TRADERS
REP. BY ITS PROPRIETOR MR. S.SUBRAMANIAM
NO. 5 VENKIYER STREET KONDITHOPE
CHENNAI - 600079

... PETITIONER in WP No.5481 of 2019

1 M/S.GOLDEN POLAS INTERNATIONAL
REP BY ITS PARTNER P.DILIP KUMAR NO.
23/65 SATTAN NAICKEN STREET CHOOLAI
CHENNAI 112

... PETITIONER in WP No.5494 of 2019

VS

1. THE COMMISSIONER OF CUSTOMS
CHENNAI II COMMISSIONERATE
CUSTOM HOUSE, 60, RAJAJI SALAI,
CHENNAI - 600 001.

2. THE ASSISTANT/DEPUTY COMMISSIONER OF CUSTOMS,
GROUP -1
CHENNAI II COMMISSIONERATE
CUSTOM HOUSE, 60, RAJAJI SALAI,
CHENNAI - 600 001.

.... RESPONDENTS IN ALL WPS

Writ Petitions filed under Article 226 of the Constitution
of India praying to issue Writ of Mandamus

WP No.4403 of 2019:

directing the Respondents to cause release of the Peas imported
by the petitioner under 2 Bills of Entry Nos.9673078 /
17.01.2019 and 9719874/ 19.1.2019 covered under contract No.
786/ S - 07545 - YWP dated 20.06.2018 in terms of the orders of
this Honourable court in W.P.No 26440 of 2018 dated 5.10.2018
and further direct the Respondents to issue a Detention
certificate for waiver of Demurrage and container Detention

charges in terms of Regulations 6(1)(I) of Handling of cargo in customs Areas Regulations 2009.

WP No.4417 of 2019:

directing the Respondents to cause release of the Peas imported by the petitioner under 7 Bills of Entry Nos.9623785 / 12.01.2019 and 9649669 dated 15.01.2019, 9649667 dated 15.01.2019, 9673076 dated 17.01.2019, 9673075 dated 17.01.2019, 9719836 dated 19.01.2019 and 9740041 dated 21.1.2019 covered under contract No. 2547/ PSPIL /786 / 18-19 dated 20.06.2018 in terms of the orders of this Honourable court in W.P.No 26433 of 2018 dated 5.10.2018 and further direct the Respondents to issue a Detention certificate for waiver of Demurrage and container Detention charges in terms of Regulations 6(1)(I) of Handling of cargo in customs Areas Regulations 2009.

WP No.4428 of 2019:

Directing the respondents to cause release of BLACK MATPE, Beans of the Species Vigna Mungo (L.) Hepper or Vigna Radiata (L.) Wilczek Bean of the species Vigna Mungo (L.) Hepper or Vigna radiata (L.) Wilczek (Urad Dal/ Moong Dal) imported by the petitioners Under 26 Bills of Entry Nos. (1) 9688346 dated 17.01.2019, (2) 9688651 dated 17.01.2019, (3) 9689632 dated 17.01.2019, (4) 9719880 dated 19.01.2019, (5) 9739806 dated 21.01.2019, (6) 9739504 dated 21.01.2019, (7) 9739506 dated 21.01.2019, (8) 9739507 dated 21.01.2019, (9) 9739508 dated 21.01.2019, (10) 9804509 dated 26.01.2019, (11) 9804132 dated 25.01.2019, (12) 9804510 dated 26.01.2019, (13) 9842377 dated 29.01.2019, (14) 9804142 dated 25.01.2019, (15) 9804229 dated 25.01.2019, (16) 9847808 dated 29.01.2019, (17) 9804124 dated 25.01.2019, (18) 9804127 dated 25.01.2019, (19) 9804227 dated 25.01.2019, (20) 9804508 dated 26.01.2019, (21) 9804143 dated 25.01.2019, (22) 9804231 dated 25.01.2019, (23) 9804296 dated 25.01.2019, (24) 9847419 dated 29.01.2019, (25) 9829553 dated 28.01.2019 and (26) 9829550 dated 28.01.2019 covered under Sales Contract No.2592/PSPIL/786/18-19 dated 01.10.2018 in terms of the orders of this Honourable Court in W.P.NO.26486 of 2018 and WMP No.30800 of 2018 dated 08.10.2018 and further direct the Respondents to issue a "Detention Certificate" for waiver of Demurrage and Container Detention Charges in terms of Regulation 6(1)(I) of Handling of Cargo in Customs Areas Regulations 2009.

WP No.4432 of 2019:

Directing the respondents to cause release of Pigeon Peas (Cajanus Cajan)/ Toor Dal (Toor Whole) imported by the petitioners under 4 Bills of Entry No. 9705695 dated 18.01.2019, 9804241 dated 25.01.2019, 9836110 dated 29.01.2019 and 9702497

dated 17.01.2019, covered under Contract No. 2562/ PSPIL/ 786/ 18-19 dated 02.08.2018 in terms of the orders of this Honorable Court in W.P.No. 21454 of 2018 and WMP Nos. 25197, 25198 of 2018 dated 23.08.2018 and further direct to issue a Detention Certificate for waiver of Demurrage and Container Detention Charges in terms of Regulation 6(1)(I) of Handling of Cargo in Customs Area Regulations 2009.

WP No.4712 of 2019:

Directing the respondents to casue release of the peas imported by the petitioner under 3 bills of No.971473 dated 19/01/2019, 9754460 dated 22/01/2019 and 9831137 dated 28/01/2019 covered under sales contract No.1819/268 dated 09/11/2018 in terms of the orders of this Honorable Court in W.P.No.29830 of 2018 dated 14/11/2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and container Detention Charges in terms of regulation 6(1) (I) of Handling of Cargo in Customs Areas Regulations, 2009.

WP No.4719 of 2019:

Directing the respondents to casue release of the peas imported by the petitioner under bills of Entry No.9750397 dated 22/01/2019, covered under sales contract No.511/2018-19 dated 16/10/2018 in terms of the orders of this Honorable Court in W.P.No.30314 of 2018 dated 16/11/2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and container Detention Charges in terms of regulation 6(1) (I) of Handling of Cargo in Customs Areas Regulations, 2009.

WP No.4721 of 2019:

Directing the respondents to casue release of the Black Matpe imported by the petitioner under Three bill of Entry No.9880122 dated 31.01.2019, 9892300 dated 01.02.2019 and 9892303 dated 01.02.2019 covered under sales Contract No.343/ 2018 dated 15.10.2018 in terms of the orders of this Honorable Court in W.P.No.29988 of 2018 dated 14.11.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and Container Detention Charges in terms of Regulation 6(1) (I) of Handling of Cargo in Customs Areas Regulations, 2009.

WP No.4722 of 2019:

Directing the respondents to casue release of the Peas imported by the petitioner under Eleven Bill of Entry No. 9705434 dated 18.01.2019, 9769856 dated 23.01.2019, 9769862 dated 23.01.2019, 9769939 dated 23.01.2019, 9769945 dated 23.01.2019, 9769950 dated 23.01.2019, 9804230 dated 25.01.2019, 9847741 dated

29.01.2019, 9850463 dated 30.01.2019, 9863928 dated 30.01.2019 and 9992528 dated 08.02.2019 covered under Sales Contract No. 1819/ 269 dated 15.10.2018 in terms of the orders of this Honorable Court in W.P.No.29863 of 2018 dated 14.11.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and Container Detention Charges in terms of Regulation 6(1) (I) of Handling of Cargo in Customs Areas Regulations, 2009.

WP No.4726 of 2019:

Directing the respondents to cause release of the Black Matpe imported by the petitioner under Bill of Entry No. 9688976 dated 17.01.2019 covered under Sales Contract No.619/ 2018-19 dated 17.9.2018 in terms of the orders of this Honorable Court in W.P.No.27972 of 2018 dated 24.10.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and Container Detention Charges in terms of Regulation 6(1) (I) of Handling of Cargo in Customs Areas Regulations, 2009.

WP No.4826 of 2019:

Directing the respondents to cause release of the Black Matpe imported by the petitioner under two Bill of Entry No. 9879391 dated 31.01.2019 and 9992524 dated 08.02.2019 covered under Sales Contract No. SC1819/ 240 dated 10.09.2018 in terms of the orders of this Honorable Court in W.P.No. 28597 of 2018 dated 31.10.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and Container Charges in terms of Regulation 6 (1)(I) of Handling of Cargo in Customs Areas Regulations, 2009.

WP No.4830 of 2019:

Directing the respondents to cause release of the Black Matpe imported by the petitioner under Three Bill of Entry No. 9785424 dated 24.01.2019, 9880119 dated 31.01.2019 and 9880118 dated 31.01.2019 covered under Sales Contract No. MIG/ 0293/ 18 dated 06.12.2018 in terms of the orders of this Honorable Court in W.P.No. 137 of 2019 dated 04.01.2019 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and Container Charges in terms of Regulation 6 (1)(I) of Handling of Cargo in Customs Areas Regulations, 2009.

WP No.4838 of 2019:

Directing the respondents to cause release of the Peas imported by the petitioner under 6 Bills of Entry Nos. 6 Bills of Entry Nos. 1. 9621948 dated 12.01.2019/ 2. 9705535 dated 18.01.2019/ 3. 9829564 dated 28.01.2019/ 4. 9829625 dated 28.01.2019/ 5. 9863934 dated 30.01.2019/ 6. 9929941 dated 04.02.2019, covered under Sales Contract No. 70321 and 70364 both dated 09.03.2018 in terms of the order of this Honorable Court in W.P.No. 27056 of 2018 dated 11.10.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and Container Charges in terms of Regulation 6 (1)(I) of Handling of Cargo in Customs Areas Regulations, 2009.

WP No.4908 of 2019:

Directing the respondent to cause release of Black Matpe, Beans of the species Vigna Mungo (L.) Hepper or Vigna Radiata (L.) Wilczek Beans of the Species Vigna Mungo (L.) Hepper or Vigna Radiata (L.) Wilczek (Urad Dal/ Moong Dal) imported by the petitioner under 6 Bills of Entry Nos. (1) 9688475 dated 17.01.2019, (2) 9705444 dated 18.01.2019, (3) 9769956 dated 23.01.2019 (4) 9863890 dated 30.01.2019 (5) 9880137 dated 31.01.2019 and (6) 9880161 dated 01.02.2019 covered under Sales Contract No. CDPL 3132 dated 07.09.2018 in terms of the orders of this Honorable Court in W.P.No. 30513 of 2018 and WMP NOS. 35585, 35587 and 35590 of 2018 dated 20.11.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and Container Charges in terms of Regulation 6 (1)(I) of Handling of Cargo in Customs Areas Regulations, 2009.

WP No.4912 of 2019:

Directing the respondents to cause release of Pigeon Peas (Cajanus Cajan)/ Toor Dal (Toor Whole) imported by the petitioners under 2 Bills of Entry Nos. (1) 9880081 dated 31.01.2019, and (2) 9888153 dated 01.02.2019, covered under Sales Contract No. SW/ 75/ 2018-19 dated 26.11.2018 in terms of the orders of this Honorable Court in W.P.No. 32134 of 2018 and WMP Nos. 37405 and 37486 of 2018 dated 06.12.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and Container Detention Charges in terms of Regulation 6(1)(I) of Handling of Cargo in Customs Areas Regulations 2009.

WP No.4916 of 2019:

Directing the respondents to cause release of the Yeallow Peas, Green Peas, Kaspas Peas, Dun Peas imported by the petitioner under 16 Bills of Entry Nos. (1) 9624277 dated 12.01.2019 (2) 9688282 dated 17.01.2019 (3) 9645531 dated 14.01.2019 (4) 9623522 dated 12.01.2019 (5) 9705751 dated 18.01.2019 (6) 9739804 dated 21.01.2019 (7) 9740035 dated 21.01.2019 (8) 9754337 dated 22.01.2019 (9) 9754335 dated 22.01.2019 (10) 9785427 dated 24.01.2019 (11) 9785815 dated 24.01.2019 (12) 9785807 dated 24.01.2019 (13) 9804135 dated 25.01.2019 (14) 9829583 dated 28.01.2019 (15) 9829608 dated 28.01.2019 (16) 9945124 dated 05.02.2019 covered under Contract No. 786/ E-0321/ 18 dated 21.03.2018 in terms of the orders of W.P.No.26479/18 dated 08.10.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and Container Detention Charges in terms of Regulation 6(1)(I) of Handling of Cargo in Customs Areas Regulations 2009.

WP No.4923 of 2019:

Directing the respondent to cause release of the Yellow Peas, Green Peas, Kaspas Peas, Dun Peas imported by the petitioner under 3 Bills of entry Nos. (1) 9624281 dated 12.01.2019 (2) 9863824 dated 30.01.2019 and (3) 9930083 dated 04.02.2019 covered under Sales Contracts No. SW/48/ 2018-19 and SW/49/ 2018-19 both dated 08.10.2018, in terms of the orders of this Honourable Court in W.P. No.27327 and 27336 of 2018 and further direct the Respondents to issue a Detention Certificate for waiver of Demurrage and container Detention Charges in terms of Regulation 6(1) (I) of Handling of Cargo in Customs Areas Regulations 2009.

WP No.4926 of 2019:

Directing the respondent to cause release of Pigeon Peas (Cajanus Cajan) / Toor Dal (Toor Whole) imported by the petitioners under 2 Bills of Entry Nos, 9880136 dated 31.01.2019 and 9893288 dated 01.02.2019, covered under Sales Contract No.110801/ 2018-19 dated 15.06.2018 in terms of the orders of this Honourable Court in W.P. No.22340 of 2018 and WMP Nos.26182, 26183, 26185 and 26186 of 2018 30.08.2018 and further direct the Respondents to issue a Detention Certificate for waiver of Demurrage and container Detention Charges in terms of Regulation 6(1) (I) of Handling of Cargo in Customs Areas Regulations 2009.

WP No.4932 of 2019:

Directing the respondent to cause release of Black Matpe, beans of the species Vigna Mungo (L) Hepper or Vigna Radiata (L) Wilczek Beans of the Species vigna mungo (L) Hepper or Vigna Radiata (L) Wilczek (Urad Dal / Moong Dal imported by the petitioner under 2 Bills of Entry Nos.(1) 9879384 dated 31.01.2019 and (2) 9903499 dated 02.02.2019 covered under Sales Contract No.MIG/ 0296/ 18 DATED 07.12.2018 in terms of the orders of this Honourable Court in W.P. No.380 of 2019 and WMP No.382 and 383 of 2019 dated 07.01.2019 and further direct the Respondents to issue a Detention Certificate for waiver of Demurrage and container Detention Charges in terms of Regulation 6(1) (I) of Handling of Cargo in Customs Areas Regulations 2009.

WP No.4941 of 2019:

Directing the respondents to cause release the Peas imported by the petitioner under Two Bill of Entry No.9863938 dated 30/01/2019 and 9929893 dated 04/02/2019 covered under Sales Contact No.SW/70/2018-19 dated 15/11/2018 in terms of the orders of this Honorable Court W.P.No.30642 of 2018 dated 22/11/2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and container Detention Charges in terms of Regulation 6(1) (I) of Handling of Cargo in Customs Areas Regulation 2009.

WP No.4956 of 2019:

directing the Respondent to cause release of Black Matpe, Beans of the species vigna mungo (L), Hepper or Vigna radiata (L) Wilczek Beans of the species Vigna Mungo(L) Hepper or vigna radiata (L) Wilczek (Urad Dal) / Moong Dal imported by the petitioners under 5 bills of Entry Nos.(1) 9863821 dated 31.1.2019 (2) 9880156 dated 31.1.2019 (3) 9880143 dated 31.1.2019 (4) 9943801 dated 5.2.2019 and (5)9941079 dated 5.2.2019 covered under sales contract No.110795/2018-18 dated 7.6.2018 in terms of W.P.No.22341 of 2018 dated 30.08.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and container Detention Charges in terms of Regulation 6(1) (I) of Handling of Cargo in Customs Areas Regulation 2009.

WP No.4961 of 2019:

directing the Respondent to cause release of Black Matpe, Beans of the species vigna mungo (L), Hepper or Vigna radiata (L) Wilczek Beans of the species Vigna Mungo(L) Hepper or vigna radiata (L) Wilczek (Urad Dal) / Moong Dal imported by the petitioners under 2 bills of Entry Nos.9785813 dated 24.1.2019

and 9880152 dated 31.1.2019 covered under sales contracts No.618/2018-19 dated 18.7.2018, 667/2018-19 dated 6.12.18 in terms of earlier Writ Petitions and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and container Detention Charges in terms of Regulation 6(1) (I) of Handling of Cargo in Customs Areas Regulation 2009.

WP No.4964 of 2019:

directing the Respondent to cause release of Yellow peas, Green peas, Kaspas peas, Dun peas imported by the petitioner under 2 Bills of Entry Nos. (1) 9624320 dated 12.1.2019 and (2) 9930046 dated 4.2.2019 covered under sales contract No.SW/46/2018-19 and SW / 42/2018-19 both dated 8.10.2018 in terms of the orders of this Honourable court in W.P.No.27378 and 27361 of 2018 and further direct the Respondents to issue a Detention certificate for waiver of Demurrage and container Detention charges in terms of Regulation 6(1)(I) of handling of cargo in customs Areas Regulations 2009.

WP No.4985 of 2019:

Directing the respondents to cause release of Pigeon Peas (Cajanus Cajan)/ Toor Dal (Toor Whole) imported by the petitioners under 2 Bills of Entry Nos. 9702446 dated 18.01.2019 and 9739498 dated 21.01.2019, covered under Sales Contract No. R.V.18/ 19.038 PP MahaLakshmi Traders dated 15.09.2018 in terms of the orders of this Honorable Court in W.P.No. 27913 of 2018 and WMP No. 32474 of 2018 dated 24.10.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and Container Detention Charges in terms of Regulation 6(1)(I) of Handling of Cargo in Customs Areas Regulations 2009.

WP No.4990 of 2019:

Directing the respondent to cause release of Black Matpe, Beans of the species Vigna Mungo (L.) Hepper or Vigna Radiata (L.) Wilczek Beans of the Species Vigna Mungo (L.) Hepper or Vigna Radiata (L.) Wilczek (Urad Dal/ Moong Dal) imported by the petitioner under 7 Bills of Entry Nos. (1) 9615542 dated 11.01.2019, (2) 9847415 dated 29.01.2019, (3) 9976614 dated 07.02.2019 (4) 9976635 dated 07.02.2019 (5) 9976612 dated 07.02.2019 and (6) 9976609 dated 07.02.2019 and (7) 9976610 dated 07.02.2019, covered under Sales Contract No. 01/ ASIA/ NOV 2018 dated 14.11.2018 in terms of the orders of this Honorable Court in W.P.No. 30602 of 2018 and WMP Nos. 35682, 35683 and 35685 of 2018 dated 20.11.2018 and further direct the respondents to issue a Detention Certificate for waiver of

Demurrage and container Detention Charges in terms of Regulation 6(1) (I) of Handling of Cargo in Customs Areas Regulation 2009.

WP No.4993 of 2019:

Directing the respondent to cause release of Black Matpe, Beans of the species Vigna Mungo (L.) Hepper or Vigna Radiata (L.) Wilczek Beans of the Species Vigna Mungo (L.) Hepper or Vigna Radiata (L.) Wilczek (Urad Dal/ Moong Dal) imported by the petitioner under 3 Bills of Entry Nos. (1) 9906429 dated 02.02.2019, (2) 9943096 dated 05.02.2019, (3) 9963515 dated 07.02.2019, covered under Sales Contract No. SW/ 45/ 2018 and SW/ 44/ 2018-19 dated 08.10.2018 in terms of the orders of this Honorable Court in W.P.No. 27334 and 27342 of 2018 and WMP Nos. 31830, 31866 of 2018 dated 22.10.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and Container Detention Charges in terms of Regulation 6(1) (I) of Handling of Cargo in Customs Areas Regulation 2009.

WP No.5041 of 2019:

Directing the respondents to cause release of Yellow Peas imported by the petitioners under 15 bill of entries 1. 9656872 dated 16.01.2019/ 2. 9745327 dated 22.01.2019/ 3. 9745311 dated 22.01.2019/ 4. 9745548 dated 22.01.2019/ 5. 9786844 dated 25.01.2019/ 6. 9787463 dated 25.01.2019/ 7. 9787433 dated 25.01.2019/ 8. 9787465 dated 25.01.2019/ 9. 9839347 dated 29.01.2019/ 10. 9821519 dated 28.01.2019/ 11. 9599305 dated 11.01.2019/ 12. 9599365 dated 11.01.2019/ 13. 9599306 dated 11.01.2019/ 14. 9599304 dated 11.01.2019/ 15. 9599303 dated 11.01.2019 covered under Sales Contract No. 257D/ 2017 dated 17.04.2018 in terms of orders of the Honorable Court in W.P.No. 28100 of 2018 and W.M.P. No. 32755 of 2018 dated 25.10.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and Container Detention Charges in terms of Regulation 6(1) (I) of Handling of Cargo in Customs Areas Regulation 2009.

WP No.5043 of 2019:

Directing the respondents to cause release of Yellow Peas imported by the petitioners under one bill of entries 1. 9842977 dated 29.01.2019 covered under Sales Contract No. 00120/ 2018 dated 04.10.2018 in terms of orders of the Honorable Court in W.P.No. 27312 of 2018 and W.M.P. No. 31788 of 2018 dated 22.10.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and Container Detention Charges in terms of Regulation 6(1)(I) of Handling of Cargo in Customs Areas Regulations 2009.

WP No.5046 of 2019:

Directing the respondents to cause release of Dun Peas/ Kasper Peas imported by the petitioners under one bill of entries 1. 9656869 dated 16.01.2019 covered under Sales Contract No. S/ 65/ 2018-2019 dated 02.11.2018 in terms of orders of the Honorable Court in W.P.No. 29828 of 2018 and W.M.P. No. 34816 of 2018 dated 14.11.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and Container Detention Charges in terms of Regulation 6(1)(I) of Handling of Cargo in Customs Areas Regulations 2009.

WP No.5048 of 2019:

Directing the respondents to cause release of Yellow Peas/ Green Peas imported by the petitioners under 3 bill of entries 1. 9625620 dated 14.01.2019/ 2. 9658626 dated 16.01.2019/ 3. 9840554 dated 29.01.2019 covered under Sales Contract No. S/ 65/ 2018-2019 dated 02.11.2018 in terms of orders of the Honorable Court in W.P.No. 29824 of 2018 and W.M.P. No. 34808 of 2018 dated 13.11.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and Container Detention Charges in terms of Regulation 6(1)(I) of Handling of Cargo in Customs Areas Regulations 2009

WP No.5079 of 2019:

directing the respondent to cause release of Black Mapte (Vigna Mungu)/ Urad imported by the petitioners under 7 Bill of Entries 1. No.9675543 Dt. 17.01.2019/ 2. No.9657772 Dt.16.01.2019/ 3. No.9657274 Dt.16.01.2019/ 4.No.9693610 Dt.18.01.2019/ 5.No.9693668 Dt.18.01.2019/ 6.No.9693669 Dt.18.01.2019/ 7. No.9816942 Dt.28.01.2019 covered under Sales contract No.116F/ 2018 dated 05.07.2018, Sales Contract No.115J/ 2018 dated 03.07.2018 in terms of orders of the Honourable Court in W.P. NO.26371 of 2018 and W.M.P. NO.30650 of 2018 dated 09.10.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and container Detention charges in terms of Regulation 6(1) (I) of Handling of Cargo in Customs Areas Regulations 2009.

WP No.5084 of 2019:

Directing the respondents to cause release of the Yellow Peas, Green Peas, Kasper Peas, Dun Peas imported by the petitioners under 6 Bills of Entry Nos. (1) 9259843 dated 14.12.2018, (2) 9649664 dated 15.01.2019 (3) 9649143 dated 15.01.2019 (4) 9804961 dated 26.01.2019 (5) 9804294 dated 25.01.2019 (6) 9829538 dated 28.01.2019, covered under Sales Contract No. 405/

18 dated 24.09.2018 in terms of the orders of this Honorable Court in W.P.No. 26495 of 2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and Container Detention Charges in terms of Regulation 6(1)(I) of Handling of Cargo in Customs Areas Regulations 2009.

WP No.5088 of 2019:

Directing the respondent to cause release of Black Matpe, Beans of the species Vigna Mungo (L.) Hepper or Vigna Radiata (L.) Wilczek Beans of the Species Vigna Mungo (L.) Hepper or Vigna Radiata (L.) Wilczek (Urad Dal/ Moong Dal) imported by the petitioner under 3 Bills of Entry Nos. (1) 9879965 dated 31.01.2019, (2) 9943799 dated 05.02.2019, (3) 9943800 dated 05.02.2019 covered under Sales Contract No. SW/ 50/ 2018 and SW/ 51/ 2018-19 dated 08.10.2018 in terms of the orders of this Honorable Court in W.P.No. 27273 and 27281 of 2018 and WMP Nos. 31722, 31728, 31736 and 31737 of 2018 dated 12.10.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and Container Detention Charges in terms of Regulation 6(1)(I) of Handling of Cargo in Customs Areas Regulations 2009.

WP No.5091 of 2019:

directing the respondent to cause release of Balck Mapte (Vigna Mungu)/ Urad imported by the petitioners under one Bill of Entrie No. 1. No.9807279 Dt. 28.01.2019/ 2. No.9806654 Dt.28.01.2019 covered under Sales contract No. 007/1700001D dated 22.07.2018, in terms of orders of the Honourable Court in W.P. NO.25606 of 2018 and W.M.P. NO.329761 of 2018 dated 28.09.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and container Detention charges in terms of Regulation 6(1) (I) of handling of cargo in customs Areas Regulations 2009.

WP No.5093 of 2019:

Directing the respondents to cause release of Pigeon Peas (Cajanus Cajan)/ Toor Dal (Toor Whole) imported by the petitioners under a Bills of Entry Nos. 9879382 dated 31.01.2019, covered under Sales Contract No. SW/ 74/ 2018-19 dated 26.11.2018 in terms of the orders of this Honorable Court in W.P.No. 32111 of 2018 and WMP Nos. 37376 and 37378 and 37381 of 2018 dated 06.12.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and Container Detention Charges in terms of Regulation 6(1)(I) of Handling of Cargo in Customs Areas Regulations 2009.

WP No.5098 of 2019:

directing the respondent to cause release of Balck Mapte (Vigna Mungu)/ Urad imported by the petitioners under three Bill of Entrie No. 1. No.9790702 dt.25.01.2019, 2.9842494 dt.29.01.2019, 3.9842495 dt.29.01.2019 covered under Sales contract No. 593/ 2018-19 dated 01.08.2018, in terms of orders of the Honourable Court in W.P. NO.26408 of 2018 and W.M.P. NO.30673 of 2018 dated 09.10.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and container Detention charges in terms of Regulation 6(1) (I) of handling of cargo in customs Areas Regulations 2009.

WP No.5101 of 2019:

Directing the respondents to cause release of Pigeon Peas (Cajanus Cajan / Toor Whole imported by the petitioners under 8 bill of entry 1.No.9843987 DT 29.01.2019/ 2.No.9863966 DT 30.01.2019/ 3.No.9863895 DT 30.01.2019/ 4.No.9879894 DT 31.01.2019/ 5.No.9879967 DT 31.01.2019/ 6.No.9879398 dt 31.01.19/ 7.No.9893363 dt.01.02.19/ 8.No.9999235 dt.09.02.19/ covered under Sales contract No.SC/18-19/233 dated 17.10.2018, in terms of orders of the Honorable Court in W.P.No.30161 of 2018 W.M.P.No.30205 of 2018 dated 15.11.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and container Detention charges in terms of Regulation 6(1) (I) of handling of cargo in customs Areas Regulations 2009.

WP No.5102 of 2019:

directing the respondent to cause release of Balck Mapte (Vigna Mungu)/ Urad imported by the petitioners under three Bill of Entrie No. 1. No.9790696 dt.25.01.2019, 2.9790741 dt.25.01.2019, 3.9837161 dt.29.01.2019 covered under Sales contract No. 578/ 2018-19 dated 30.07.2018, and W.M.P. No.31370 of 2018 dated 11.10.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and container Detention charges in terms of Regulation 6(1) (I) of handling of cargo in customs Areas Regulations 2009.

WP No.5107 of 2019:

Directing the respondents to cause release of Black Mapte (Vigna Mungu)/Urad imported by the petitioners under 20 bill of entry 1.No.99768927 DT.23.01.2019/ 2.No.9769225 DT 23.01.2019 / 3.No.9847751 DT 29.01.2019/ 4.No.986061 DT 30.01.2019/ 5.No.9860720 DT 30.01.2019/ 6.No.9860724 dt.30.01.19/ 7.No.9849665 dt.30.01.19/ 8.No.9879399 dt.31.01.19/ 9.No.9879400 dt.31.01.19 10.No.9893360 dt.01.02.19/ 11.No.9927261 dt.04.02.19/ 12.No.9927133 dt 04.02.19/ 13. No.9928930

dt.04.02.19/ 14.No.9963511 dt.07.02.19/ 15.No.9968447
dt.07.02.19/ 16.No.9992370 dt 08.02.19/ 17.No.9990765/dt
08.02.19/ 18.No.9992369 dt.08.02.19/ 19.No.9999243/ dt.09.02.19
20.No.2016702 dt.11.02.19, covered under Sales contract
No.SC/18-19/021 dated 2.11.18 in terms of W.P.33596/18, dated
17.12.18 and further direct the respondents to issue a Detention
Certificate for waiver of Demurrage and container Detention
charges in terms of Regulation 6(1) (I) of handling of cargo in
customs Areas Regulations 2009.

WP No.5108 of 2019:

directing the respondent to cause release of Balck Mapte (Vigna Mungu)/ Urad imported by the petitioners under 5 Bill of Entrie No. 1. No.9837114 dt.29.01.2019, 2. No.9842498 dt.29.01.2019, 3. No.9842617 dt.29.01.2019, 4.No.9842479 dt. 29.01.2019, 5. No.9857397 dt.30.01.2019, covered under Sales contract No. 582/ 2018-19 dated 30.07.2018, in terms of orders of the Honourable Court in W.P. NO.25488 of 2018 and W.M.P. No.29651 of 2018 dated 27.09.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and container Detention charges in terms of Regulation 6(1) (I) of handling of cargo in customs Areas Regulations 2009.

WP No.5112 of 2019:

directing the respondent to cause release of Green Mung Bean (Vigna Radiata)/ imported by the petitioners under 2 Bill of Entries No. 1. No.9693666 dt.18.01.2019, 2. No.9842478 dt.29.01.2019, covered under Sales contract No. SW/64/ 2018-19 dated 02.11.2018, in terms of orders of the Honourable Court in W.P. NO.29833 of 2018 and W.M.P. No.34823 of 2018 dated 14.11.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and container Detention charges in terms of Regulation 6(1) (I) of handling of cargo in customs Areas Regulations 2009.

WP No.5113 of 2019:

Directing the respondents to cause release of Peas imported by the petitioners under one bill of entries 1.No.9623514 DT 12.01.2019/ 2.No.9768385 DT 23.01.2019/ covered under Sales contract No.SCA/0013150 dated 03.10.2018, in terms of orders of the Honorable Court in W.P.No.28685 of 2018 W.M.P.No.33490 of 2018 dated 31.10.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and container Detention charges in terms of Regulation 6(1)(I) of handling of cargo in customs Areas Regulations 2009.

WP No.5117 of 2019:

directing the respondent to cause release of Black Mapte (Vigna mungu)/ urad imported by the petitioners under one Bill of Entry No. 1. No.9837193 dt.29.01.2019, covered under Sales contract No. 594/ 2018-19 dated 01.08.2018, in terms of orders of the Honourable Court in W.P. NO.26993 of 2018 and W.M.P. No.31379 of 2018 dated 11.10.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and container Detention charges in terms of Regulation 6(1) (I) of handling of cargo in customs Areas Regulations 2009.

WP No.5119 of 2019:

directing the respondents to cause release of Pigeon peas (Cajan/ Toor Whole imported by the petitioners under 1.9817189 dt.28.01.2019, covered under Sales contract No. 349D/ 2018 dated 01.11.2018, in terms of orders of the Honourable Court in W.P. NO.30611 of 2018 and W.M.P. No.35683 of 2018 dated 20.11.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and container Detention charges in terms of Regulation 6(1) (I) of handling of cargo in customs Areas Regulations 2009.

WP No.5137 of 2019:

directing the respondents to clear and release the consignments of Black Matpe(FAQ) 500 MTs.falling under Exim code 07133100 imported through ARVEE International Private Limited, Singapore in terms of sale contract No.181204 / 3 dated 4.12.2018 covered under (i) bill of entry No. 9831079 dated 28.1.2019 invoice No.2K19 /1120 dated 30.12.2018 (250Mts) and corresponding bill of lading No.AMSYGNMAA007 / 2019 dated 30.12.2018 and (ii) bill of entry No9831177 dated 29.01.2019, invoice No.2K19/1121 dated 30.12.2018 (250 Mts) & Bill of lading No.AMSYGNMAA006/2019 dated 30.12.2018 both these consignments were reached Chennai Port on 26.01.2019 forthwith in terms of the stay order dated 07.12.2018 made in WMP No.2773 of 2018 in W.P.No.32573 of 2018 on the file of this Hon'ble High Court and consequently forbear the respondents from issuing deduction charges in terms of regulation 9(I) (i) of Handling of Cargo in Customs Area regulation 2009.

WP No.5167 of 2019:

directing the Respondents to cause release of the Black Matpe imported by the petitioner under Nine bill of Entry No.9880157 dated 31.1.2019, 9880150 dated 31.1.2019, 9884586 dated 1.2.2019, 9884587 dated 1.2.2019, 9924241 dated 4.2.2019,

9924557 dated 4.2.2019, 9928933 dated 4.2.2019, 9928932 dated 4.2.2019 and 9928931 dated 4.2.2019 in terms of the orders of this Honourable court in W.P.No. 76 of 2019 dated 4.1.2019 and further direct the Respondents to issue a Detention certificate for waiver of Demurrage and container Detention charges in terms of Regulation 6(1) of Handling of cargo in customs Areas Regulations 2009.

WP No.5323 of 2019:

directing the respondents to cause release of Black Matpe, Beans of the species Vigna Mungo (L.) Hepper or Vigna Radiata (L.) Wilczek Beans of the species Vigna mungo (L.) Hepper or Vigna radiata (L.) Wilczek (Urad Dal/ Moong Dal imported by the petitioner under 12 Bills of Entry Nos.(1)9860697 dated 30.01.2019 (2) 9862231 dated 30.01.2019 (3) 9860590 dated 30.01.2019 (4) 9924593 dated 04.02.2019 (5) 9999532 dated 09.02.2019 (6) 2009264 dated 11.02.2019 (7) 2009261 dated 11.02.2019 (8) 2009266 dated 11.02.2019 (9) 2009270 dated 11.02.2019 (10) 2016689 dated 11.02.2019 (11) 2019664 dated 11.02.2019 and (12) 9999244 dated 09.02.2019, covered under sales Contract No.SCN- 001202 dated 28.11.2018 in terms W.P.33349/2018 dated 14.12.2018 and further direct the Respondents to issue a Detention certificate for waiver of Demurrage and container Detention charges in terms of Regulation 6(1) of Handling of cargo in customs Areas Regulations 2009.

WP No.5332 of 2019:

directing the respondents to cause release of Pigeon Peas (Cajanus Cajan) / Toor Dal (Toor Whole) imported by the petitioners under 4 Bills of Entry Nos.(1)9860777 dated 30.01.2019 (2) 9898597 dated 02.02.2019 (3) 9898600 dated 02.02.2019 and (4) 9903009 dated 02.02.2019 covered under sales Contract No.VEL/S/096/ 2017-18 dated 27.04.2018 in terms of the orders of this Honourable Court in W.P. No.24296 of 2018 and WMP Nos.28312 TO 28314 of 2018 dated 17.09.2018 and further direct the Respondents to issue a Detention Certificate for waiver of Demurrage and container detention charges in terms of Regulation 6(1) (I) of Handling of Cargo in Customs Areas Regulations 2009.

WP No.5335 of 2019:

directing the respondents to cause release of Black Matpe, Beans of the species Vigna Mungo (L.) Hepper or Vigna radiata (L.) Wilczek Beans of the Species Vigna Mungo (L.) Hepper or Vigna Radiata (L.) Wilczek (Urad Dal / Moong Dal imported by the petitioner under 4 Bills of Entry Nos. (1) 9863933 dated 30.01.2019, (2) 9906327 dated 02.02.2019, (3) 9945520 dated 05.02.2019 and (4) 9945519 dated 05.02.2019 covered under sales

Contract No.CDPL/ 2856 DT.04.06.2018 in terms of the orders of this Honourable Court in W.P. No.25300 of 2018 and WMP Nos.29431 of 2018 dated 25.09.2018 and further direct the Respondents to issue a Detention Certificate for waiver of Demurrage and container detention charges in terms of Regulation 6(1) (I) of Handling of Cargo in Customs Areas Regulations 2009.

WP No.5339 of 2019:

Directing the respondents to cause release of the Yellow Peas, Green Peas, Kaspas Peas, Dun Peas imported by the petitioners under 2 Bills of Entry Nos. (1) 9753207 dated 22.01.2019 and (2) 2034327 dated 12.02.2019, covered under Sales Contract No. VEL-S/ 083/ 2017-18 dated 09.01.2018 and SCN-001201 dated 28.11.2018, in terms of the orders of this Honorable Court in W.P.No. 24406 and 33413 of 2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and Container Detention Charges in terms of Regulation 6(1)(I) of Handling of Cargo in Customs Areas Regulations 2009.

WP No.5340 of 2019:

directing the respondents to cause release of Green Mung Bean, Beans of the species Vigna Mungo (L.) Hepper or Vigna radiata (L.) Wilczek Beans of the Species Vigna Mungo (L.) Hepper or Vigna Radiata (L.) Wilczek (Urad Dal / Moong Dal imported by the petitioner under 2 Bills of Entry Nos. (1) 9879959 dated 31.01.2019, and (2) 9879884 dated 31.01.2019, covered under sales Contract No.SW/73/ 2018 DT. 26.11.2018 in terms of the orders of this Honourable Court in W.P. No.32104 of 2018 and WMP Nos.37362, 37364, 37368 of 2018 dated 05.12.2018 and further direct the Respondents to issue a Detention Certificate for waiver of Demurrage and container detention charges in terms of Regulation 6(1) (I) of Handling of Cargo in Customs Areas Regulations 2009.

WP No.5342 of 2019:

Directing the respondents to cause release of Pigeon Peas (Cajanus Cajan)/ Toor Dal (Toor Whole) imported by the petitioners under 4 Bills of Entry Nos. (1) 9785820 dated 24.01.2019, and (2) 9805012 dated 26.01.2019 (3) 9831082 dated 28.01.2019 and (4) 9930084 dated 04.02.2019, covered under Sales Contract No. 1221-(2018-19) dated 15.10.2018 and 314/ 2018 dated 25.08.2018 in terms of the orders of this Honorable Court in W.P.No. 30005, 23854 of 2018 and WMP Nos. 35025, 35030 of 2018 dated 14.11.2018 and 27806 of 2018 dated 12.09.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and Container Detention Charges in terms of

Regulation 6(1)(I) of Handling of Cargo in Customs Areas Regulations 2009.

WP No.5344 of 2019:

directing the respondents to cause release of Black Matpe, Beans of the Species Vigna Mungo (L.) Hepper or Vigna radiata (L.) Wilczek Beans of the Species Vigna Mungo (L.) Hepper or Vigna Radiata (L.) Wilczek (Urad Dal / Moong Dal imported by the petitioner under 15 Bills of Entry Nos. (1) 9767823 dated 23.01.2019, and (2) 9863968 dated 31.01.2019, (3) 9863974 dt. 31.01.2019 (4) 9863896 dt.30.01.2019 (5) 9880135 dt.31.01.2019 (6) 9880153 dt.31.01.2019 (7) 9879897 dt.31.01.2019 (8) 9879889 dt.31.01.2019 (9) 9879912 dt.31.01.2019 (10) 9879908 dt.31.01.2019 (11) 9879402 dt.31.01.2019 (12) 9893049 dt.01.02.2019 (13) 9924242 dt.04.02.2019 (14) 9923678 dt.04.02.2019 and (15) 9903552 dated 02.02.2019 covered under Sales Contract No.MIG/0291/18 dated 06.12.2018 & 666/2018-19 dated 05.12.2018 i terms of the orders of this Honourable Court in W.P.No.67 and 74 of 2019 and WMP No.73 & 78 of 2019 dated 04.01.2019 and further direct the Respondents to issue a "Detention Certificate" for waiver of Demurrage and Container Detention Charges in terms of Regulation 6(i)(I) of Hanbdling of Cargo in Customs Areas Regulations 2009.

WP No.5345 of 2019:

Directing the respondents to cause release of Pigeon Peas (Cajanus Cajan)/ Toor Dal (Toor Whole) imported by the petitioners under 3 Bills of Entry Nos. 9847804 dated 29.01.2019, 9899715 dated 02.02.2019, and 9923661 dated 04.02.2019, covered under Sales Contract No. CDPL/ 2853 dated 04.06.2019 in terms of the orders of this Honorable Court in W.P.No. 25299 of 2018 and WMP Nos. 29428 of 2018 dated 25.09.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and Container Detention Charges in terms of Regulation 6(1)(I) of Handling of Cargo in Customs Areas Regulations 2009

WP No.5348 of 2019:

Directing the respondent to cause release of Black Matpe, Beans of the species Vigna Mungo (L.) Hepper or Vigna Radiata (L.) Wilczek Beans of the Species Vigna Mungo (L.) Hepper or Vigna Radiata (L.) Wilczek (Urad Dal/ Moong Dal) imported by the petitioner under Bill of Entry No. 9928915 dated 04.02.2019, covered under Sales Contract No. SC 1819/ 233 dated 10.09.2018 in terms of the orders of this Honorable Court in W.P.No. 28025 of 2018 and WMP Nos. 32614 of 2018 dated 25.10.2018 and further direct the respondents to issue a Detention Certificate for

waiver of Demurrage and Container Detention Charges in terms of Regulation 6(1)(I) of Handling of Cargo in Customs Areas Regulations 2009.

WP No.5357 of 2019:

directing the Respondents to cause release of the Black Matpe imported by the petitioner under One bill of Entry No. 9688293 dated 17.1.2019 in terms of the orders of this Honourable court in W.P.No. 28028 of 2018 dated 25.10.2018 and further direct the Respondents to issue a Detention certificate for waiver of Demurrage and container Detention charges in terms of Regulations 6(1) (I) of Handling of cargo in customs Areas Regulations 2009.

WP No.5359 of 2019:

Directing the respondent to cause release of Black Matpe, Beans of the species Vigna Mungo (L.) Hepper or Vigna Radiata (L.) Wilczek Beans of the Species Vigna Mungo (L.) Hepper or Vigna Radiata (L.) Wilczek (Urad Dal/ Moong Dal) imported by the petitioner under Bill of Entry No. 9863825 dated 30.01.2019, covered under Sales Contract No. MIG/ 0292/ 18 dated 06.12.2018 in terms of the orders of this Honorable Court in W.P.No. 89 of 2019 and WMP No. 111 of 2019 dated 04.01.2019 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and Container Detention Charges in terms of Regulation 6(1)(I) of Handling of Cargo in Customs Areas Regulations 2009.

WP No.5370 of 2019:

Directing the respondents to cause release of the Yellow Peas/ Green Peas imported by the petitioners under 4 Bill of Entries. 1. 9689426 dated 17.01.2019/ 2. 9689425 dated 17.02.2019/ 3. 2019656 dated 11.02.2019/ 4. 2019663 dated 11.02.2019 covered under Sales Contract 1.No. 1/ PT-IN dated 17.10.2018, 2. R.I-373-2018, dated 18.10.2018 3. RI-374-2018 dated 18.10.2018, in terms of the orders of this Honorable Court in W.P.No. 28912 of 2018, W.M.P. No. 33781 and W.P.No. 28942 of 2018, W.M.P.No. 33830 of 2018 dated 01.11.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and Container Detention Charges in terms of Regulation 6(1)(I) of Handling of Cargo in Customs Areas Regulations 2009.

WP No.5379 of 2019:

Directing the respondents to cause release of Pigeon Peas (Cajanus Cajan)/ Toor Whole) imported by the petitioners under 11 Bill of Entries. 1. 9740056 dated 21.01.2019/ 2. 9804306 dated 25.01.2019/ 3. 9847599 dated 29.01.2019/ 4. 9846289 dated

29.01.2019/ 5. 9847743 dated 29.01.2019/ 6. 9847636 dated 29.01.2019/ 7. 9847598 dated 29.01.2019/ 8. 9847597 dated 29.01.2019/ 9. 9846267 dated 29.01.2019/ 10. 9879403 dated 31.01.2019/ 11. 9927178 dated 04.02.2019 covered under Sales Contract No. RI-366-2018 dated 19.09.2018 in terms of the orders of this Honorable Court in W.P.No. 26915 of 2018 and WMP No. 31275 of 2018 dated 12.10.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and Container Detention Charges in terms of Regulation 6(1)(I) of Handling of Cargo in Customs Areas Regulations 2009.

WP No.5383 of 2019:

Directing the respondents to cause release of Peas imported by the petitioners under two Bill of Entries. 1. No. 19863819 dated 30.1.2019 2. No. 9863929 dated 30.1.2019 covered under Sales Contract No. SW/ 69/ 2018-2019 dated 15.11.2018, in terms of the orders of the Honorable Court in W.P.No. 30636 of 2018 and W.M.P. No. 35726 of 2018 dated 22.11.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and Container Detention Charges in terms of Regulation 6(1)(I) of Handling of Cargo in Customs Areas Regulations 2009.

WP No.5385 of 2019:

Directing the respondents to cause release of Pigeon Peas (Cajanus Cajan)/ Toor Whole) imported by the petitioners under 1 Bill of Entry vide No. 2019663 dated 11.02.2019, covered under Sales Contract No. 001/ 2018 dated 05.10.2018 in terms of the orders of this Honorable Court in W.P.No. 29270 of 2018 and WMP No. 34198 of 2018 dated 02.11.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and Container Detention Charges in terms of Regulation 6(1)(I) of Handling of Cargo in Customs Areas Regulations 2009

WP No.5388 of 2019:

Directing the respondent to cause release of Black Matpe(Vigna Mungu)/ Urad Dal imported by the petitioner under No. 1.9769943 dated 23.01.2019/ 2. 9863828 dated 30.01.2019/ 3. 9863822 dated 30.01.2019/ 4. 9879381 dated 31.01.2019/ 5. 9880123 dated 31.01.2019/ 6. 9893357 dated 01.02.2019 covered under Sales Contract No. CDPL/ 2864 dated 04.06.2018 Sales Contract No. GPIL/ 18-19/ 017 dated 24.10.2018 in terms of the orders of this Honorable Court in W.P.No. 25345 of 2018 dated 26.09.18 in W.P.29290/18 dated 08.11.2018 and further direct the respondents to issue a Detention Certificate for waiver of

Demurrage and Container Detention Charges in terms of Regulation 6(1)(I) of Handling of Cargo in Customs Areas Regulations 2009.

WP No.5400 of 2019:

Directing the respondent to cause release of Black Mapte (Vigna Mungu) / Urad Dal imported by the petitioners under 6 Bill of Entries. 1. No.9843834 dated 29.1.2019 2. No.9843969 dated 29.1.2019 3. NO. 9846288 dated 29.1.2019 4. No.9843974 dated 29.1.2019 5. No.9847596 dated 29.1.2019 6. No. 9843985 dated 29.1.2019 covered under Sales Contract No. RI 367 2018 dated 19.9.2018, in terms of the orders of the Honorable Court in W.P.No. 27848 of 2018 and W.M.P. No.33376 of 2018 dated 23.10.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and Container Detention Charges in terms of Regulation 6(1) (I) of Handling of Cargo in Customs Areas Regulations 2009.

WP No.5377 of 2019:

Directing the respondents to cause release of the Peas imported by the petitioner under the Bills of lading no AFV0101114A DATED 25-11-2018 MEDUMT 196042 dated 16-11-2018 MSCUV7805954 dated 21-11-2018, AFV0100316B dated 20-12-2018 AFV0100316C dated 29-12-2018 and HLCUMTR190117380 DATED 24-1-2019 in terms of the orders of this Honble court in WMP NO 33127/2018 in WP.28404/2018 dated 31-10-2018 and further direct the respondents to issue a Detention certificate for waiver of Demurrage and Container Detention charges in terms of Regulation 6(1) (1) of Handling of Cargo in customs areas Regulations 2009

WP No.5390 of 2019:

Directing the respondent to cause release of Black Mapte (Vigna Mungu) / Urad imported by the petitioners 5 Bill of Entries. 1. No.9769946 dated 23.1.2019 2. No.9769724 dated 23.1.2019 3. NO. 9849658 dated 30.1.2019 4. No. 9880162 dated 1.2.2019 5. No. 9926071 dated 4.2.2019 covered under Sales Contract No. SC / 1819 / 235 dated 10.9.2018, in terms of the orders of the Honorable Court in W.P.No. 28039 of 2018 and W.M.P. No.32643 of 2018 dated 25.10.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and Container Detention Charges in terms of Regulation 6(1)(I) of Handling of Cargo in Customs Areas Regulations 2009.

WP No.5481 of 2019:

Directing the respondents to cause release of the Yellow Peas imported by the petitioner under the Bills of lading Nos. MSCUV7806598 dated 20.11.2018, MAEU967123257 dated 19.12.2018 ONEYODSU00548700 dated 19.11.2018, SAFM 710959469 dated 04.12.2018, SAFM 711403362 dated 30.11.2018 and 967163967 dated 10.01.2019 and Bill of Entry No. 9599362 dated 11.01.2019, 9598192 dated 11.01.2019, 9599322 dated 11.01.2019, 9599342 dated 11.01.2019, 9599364 dated 11.01.2019 and 9599363 dated 11.01.2019 in terms of the orders of this Honorable Court in W.M.P.No. 33434 of 2018 in W.P.No. 28646 of 2018 dated 31.10.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and Container Detention Charges in terms of Regulation 6(1)(I) of Handling of Cargo in Customs Areas Regulations 2009.

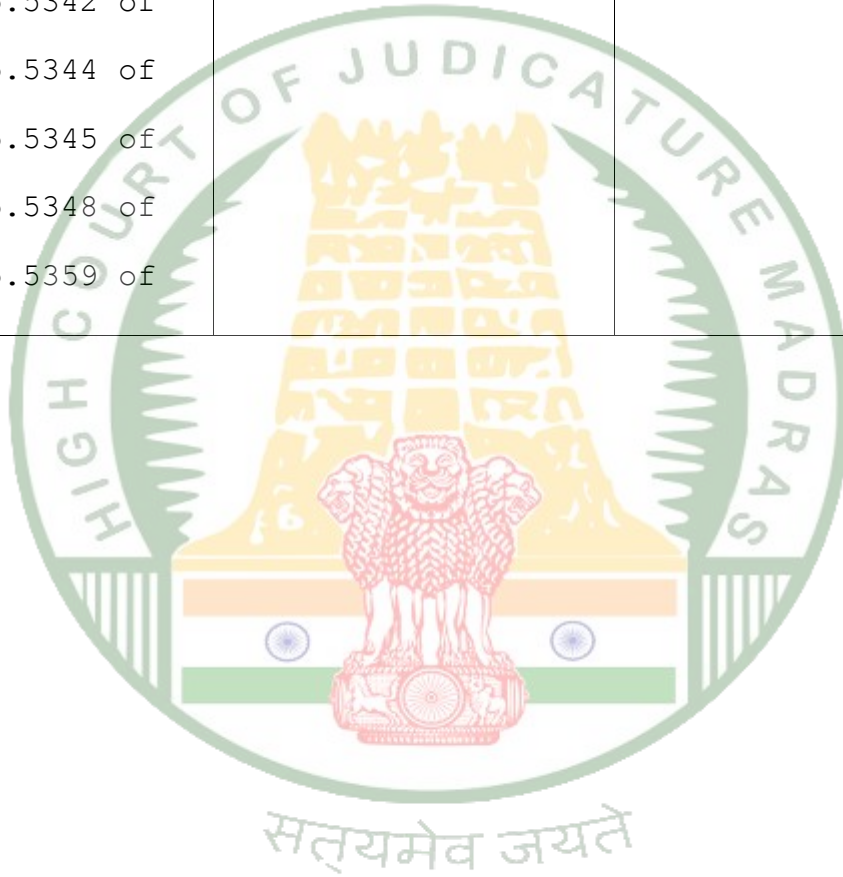
WP No.5494 of 2019:

directing the respondents to cause release of the Peas imported by the petitioner under the Bills of Lading Nos. ZIMUNVK055366 dated 1.1.2019, CAN0425937A dated 28.12.2018, CAN0425937B dated 28.12.2018, AFV0100525 dated 9.1.2019, HLCULED190112074 dated 16.12.2018, MSCUV7816449 dated 31.12.2018, MSCUV7816274 dated 31.12.2018, 579598539 dated 18.1.2019, CAN0415558 dated 26.1.2019, AFV0103356 dated 26.1.2019 and ZIMUMTL0075210 dated 30.1.2019 in terms of the orders of this Honourable Court in W.M.P. No. 38763 and 38764 of 2018 in W.P.No.33390 of 2018 dated 14.12.2018 and further direct the respondents to issue a Detention Certificate for waiver of Demurrage and Container Detention Charges in terms of Regulation 6(1)(I) of Handling of Cargo in Customs Areas Regulations 2009.

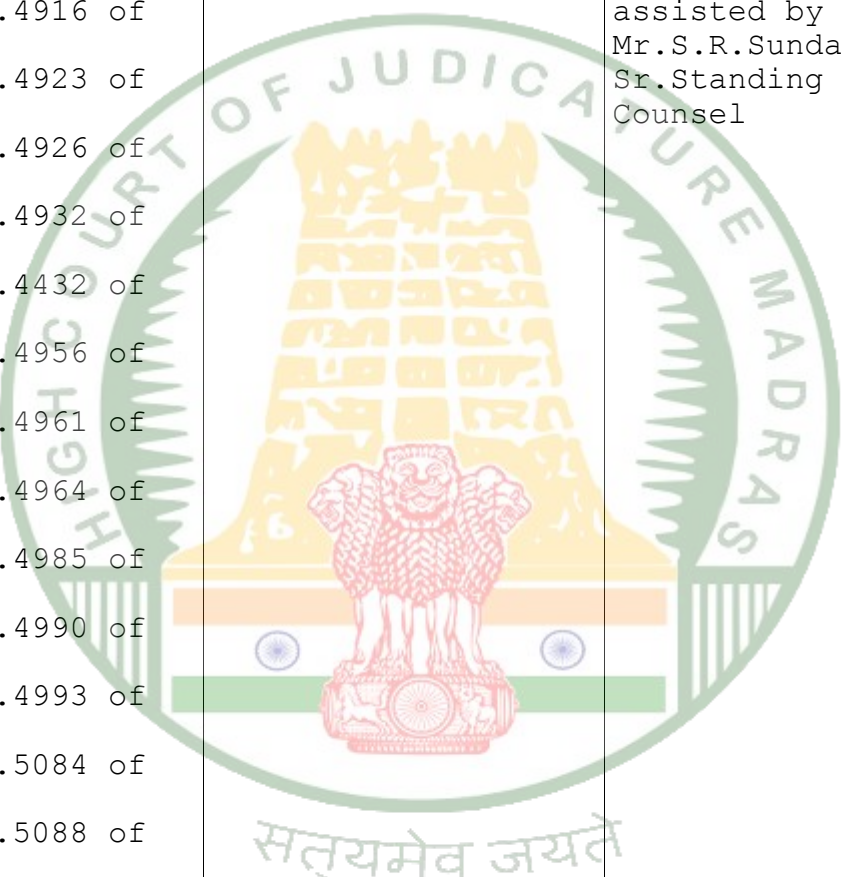
सत्यमेव जयते

WEB COPY

Case No.	For Petitioner	For Respondents
W.P.No.5323 of 2019	Mr.Vijay Narayan, S.C. Dr.S.Krishnandh and Mr.Satish Sundar	Ms.Aparna Nandakumar Sr.Standing Counsel (Customs)
W.P.No.5332 of 2019		
W.P.No.5335 of 2019		
W.P.No.5339 of 2019		
W.P.No.5340 of 2019		
W.P.No.5342 of 2019		
W.P.No.5344 of 2019		
W.P.No.5345 of 2019		
W.P.No.5348 of 2019		
W.P.No.5359 of 2019		



WEB COPY

Case No.	For Petitioner	For Respondents
W.P.No.4403 of 2019	 Mr.Vijay Narayan, S.C. Dr.S.Krishn andh and Mr.Satish Sundar	Mr.Madhanagopal Rao, CGSC Mr.K.Umesh Rao, CGSC Mr.G.Rajagopalan ASG assisted by Mr.S.R.Sundar, Sr.Standing Counsel
W.P.No.4417 of 2019		
W.P.No.4428 of 2019		
W.P.No.4908 of 2019		
W.P.No.4912 of 2019		
W.P.No.4916 of 2019		
W.P.No.4923 of 2019		
W.P.No.4926 of 2019		
W.P.No.4932 of 2019		
W.P.No.4432 of 2019		
W.P.No.4956 of 2019		
W.P.No.4961 of 2019		
W.P.No.4964 of 2019		
W.P.No.4985 of 2019		
W.P.No.4990 of 2019		
W.P.No.4993 of 2019		
W.P.No.5084 of 2019		
W.P.No.5088 of 2019		
W.P.No.5093 of 2019		

WEB COPY

Case No.	For Petitioner	For Respondents
WP. No.5370 of 2019	Mr.P.Sidhan rthan	Mr.Madhanagopal Rao, CGSC Mr.K.Umesh Rao, CGSC Mr.G.Rajagopalan ASG assisted by Mr.S.R.Sundar, Sr.Standing Counsel
WP. No.5379 of 2019		
WP. No.5383 of 2019		
WP. No.5385 of 2019		
W.P.No.5388 of 2019		
W.P.No.5400 of 2019		
W.P.No.5390 of 2019		
W.P.No.5041 of 2019		
W.P.No.5043 of 2019		
W.P.No.5046 of 2019		
W.P.No.5048 of 2019		
W.P.No.5079 of 2019		
W.P.No.5091 of 2019		
W.P.No.5098 of 2019		
W.P.No.5101 of 2019		
W.P.No.5102 of 2019		
W.P.No.5107 of 2019		
W.P.No.5108 of 2019		
W.P.No.5112 of 2019		
W.P.No.5113 of 2019		
W.P.No.5117 of 2019		
W.P.No.5119 of 2019		

Case No.	For Petitioner	For Respondents
W.P.No.5357 of 2019 W.P.No.4712 of 2019 W.P.No.4721 of 2019 W.P.No.4722 of 2019 W.P.No.4726 of 2019 W.P.No.4826 of 2019 W.P.No.4830 of 2019 W.P.No.4941 of 2019 W.P.No.5167 of 2019	Mr.P.Wilson, S.C. For Mr.A.Suresh	Mr.Madhanagopal Rao, CGSC Mr.K.Umesh Rao, CGSC Mr.G.Rajagopalan ASG assisted by Mr.S.R.Sundar, Sr.Standing Counsel
W.P.No.4838 of 2019	Mr.C.Vigneswaran	-do-
W.P.No.5377 of 2019	Mr.K.Mohamurali	-do-
W.P.No.5137 of 2019	Mr.G.Ethirajulu	-do-
W.P.No.5481 of 2019 W.P.No.5494 of 2019	Mr.K.Mohamurali	Ms.Aparna Nandakumar Sr.Standing Counsel (Customs)

C O M M O N O R D E R

Sixty Six (66) petitioners are before this Court seeking issuance of a writ of mandamus to the respondents to release consignments of 'Peas' and 'Dhall' imported by the petitioner under the Bills of Entry in terms of earlier orders of this Court and further direct the respondents to issue a 'Detention Certificate' for waiver of Demurrage and Container Detention Charges in terms of Regulation 6(1)(1) of Handling of Cargo in Customs Areas Regulations 2009.

2. Detailed submissions of Mr.Vijay Narayan, learned Advocate General appearing for Mr.R.Satish Sundar, Mr.P.Wilson, learned Senior Counsel appearing for Mr.A.Suresh, Mr.P.Sidharthan, Mr.C.Vigneshwaran, Mr.K.Mohanamurali and Mr.G.Ethirajulu, learned counsels appearing for the petitioners

and Mr.S.R.Sundar, Ms.Aparna Nandakumar, Mr.Madhana Gopal Rao and Mr.K.Umesh Rao, learned standing counsels for the respondents have been heard. No counters have been filed till date though the earliest matter in the batch came up on 15.02.2019 when learned standing counsel for the Revenue took notice as well as time to file a counter. Be that as it may, both sides have addressed the Court by way of detailed submissions, circulating relevant material as well as case-law in support of their contentions.

3. Mr.G.Rajagopalan, learned Assistant Solicitor General intervenes in the matter to urge that the Director General of Foreign Trade (DGFT), the entity that has issued certain relevant Notifications, be made a party to the Writ Petitions. However, since the Writ Petitioners seek only a mandamus and do not challenge the Notifications itself, I do not believe that the DGFT is a necessary party to the proceedings. In fact, these very petitioners before me have challenged Notification dated 25.04.2018 by way of Writ Petitions in W.P.Nos.15921 to 15924 of 2018; Notification dated 02.07.2018 in W.P.Nos.17387 to 17391, 19684 and 18840 of 2018; Notifications dated 05.08.2017, 21.08.2017 and 04.05.2018 in W.P.Nos.21454, 21455 and 26486 of 2018 and Notification dated 28.09.2018 in W.P.Nos.26440 and 26433 of 2018 wherein the DGFT has, rightly, been made a party.

4. The mandamus sought before me is based on the strength of the interim stay granted by this Court and admittedly in force at time when the consignments in question have been imported. The entire batch of Writ Petitions filed challenging Notification Nos.04/2015-20 dated 25.04.2018, 15/2015-2020 dated 02.07.2018, 19/2015-20 dated 05.08.2017, 22/2015-20 dated 21.08.2017, 06/2015-20 dated 04.05.2018 and 37/2015-20 dated 28.09.2018 has been heard by a learned single Judge of this Court and orders have been reserved on 09.01.2019.

5. The facts in relation to all the above Writ Petitions are more or less uniform and the defence put forth by the respondents is also the same in all cases. The petitioners are importers of two kinds of products (i) various varieties of peas such as Yellow Peas, Green Peas, Dun Peas, Kasper Peas, Pigeon Peas (Cajanus Cajan), and (ii) dhalls, being Toor, Moong and Urad Dhall (Black Matpe) (Beans of the species Vigna mungo (L.) Hepper or Vigna radiata (L.) Wilczek.

6. The petitioners in W.P.Nos. 4721, 4726, 5107, 5079, 5167, 5137, 5088, 5091, 5102, 5098, 5117, 5108, 4826, 4830, 4932, 4990, 4993, 4956, 4961, 4964, 4908, 5323, 5335, 5340, 5344, 5348, 5357, 5359, 5388, 5400, 5390, 5390 and 4428 of 2019 are importers of dhalls and the petitioners in W.P.Nos.4403, 5041, 5043, 5046, 5048, 5084, 5093, 4985, 4432, 4417, 5112, 5119, 5101, 5113, 4712, 4719, 4722, 4838, 4941, 4926, 4923,

4916, 4912, 5332, 5339, 5342, 5345, 5379, 5385, 5383, 5370 and 5377 of 2019 are importers of different varieties of peas.

7. The import of both products has been subject to restriction placed by the Customs authorities under a series of notifications issued from April 2018 onwards in the case of peas and August 2017 onwards in the case of dhalls. As far as Toor, Moong and Urad Dhalls are concerned, the respondents have issued two notifications bearing numbers (i) No.22/2015-2020 dated 21.08.2017 and (ii) 06/2015-2020 dated 04.05.2018. The Notifications restrict the quantum of import of dhalls and the operation of the said notifications has been stayed by orders of this Court dated 31.08.2018 in W.P.Nos.21454 and 21455 of 2018 and WMP Nos.25197, 25198 and 25200 of 2018.

8. As far as peas are concerned, initially a notification was issued on 25th April 2018 for the period 01.04.2018 to 30.06.2018 that placed a restriction on the quantum of peas liable to be imported. The Policy condition was set out in paragraph 4 of the notification, extracted below:

'During the period from 01st April to 30th June 2018 total quantity of one lakh MT of yellow peas minus the quantity already imported from 01.04.2018 till date will be allowed against licence as per procedure to be notified by DGFT.

"Already Imported" will include shipment already arrived from 01.04.2016 till 25.04.2018 and those shipments backed by Irrevocable Commercial Letter of Credit (ICLC) and Advance Payment made through Banking Channel before 25.04.2018. Both these categories will be required to be registered with Jurisdictional Regional Authority as per Para 1.05 of Foreign Trade Policy, 2015-20.'

9. The second notification bearing No.15/2015-2020 was issued on 02.07.2018 for the period 1st July 2018 to 30th September, 2018 continuing the restriction for the subsequent three months as well. Again, vide Notification bearing No.37/2015-2020 dated 28.09.2018 the restriction was continued for the period 01.10.2018 to 31.12.2018.

10. The Writ Petitioners are concerned with imports effected during the period of Notification dated 28.09.2018, in the case of peas, and pursuant to Notification 04.05.2018, in the case of dhalls. The case of the petitioners is that the transactions of imports had crystallised even prior to the date of the relevant Notifications. The dates of shipment/date of bills of lading in all cases is between the period 01.10.2018 and 31.12.2018. Similar/identical consignments that had been shipped and imported during the period in question have been

permitted to be cleared by the customs authorities. However, the authorities have illegally detained the present consignments in spite of there being a stay of operation of the Notifications in question having been granted by this Court. The petitioners rely on the following judgments of the Supreme Court in support of their arguments.

- i) Union of India V. Asian Food Industries (2006 (204) ELT 8 (SC))
- ii) Priyanka Overseas Private Ltd. And another V. Union of India and others ((1991) SUPP 1 SCC 102)
- iii) Rajkumar Dey and others V. Tarapada Dey and others ((1987) 4 SCC 398)
- iv) Gursharan Singh and others V. New Delhi Municipal Committee and others ((1996) 2 SCC 459)

11. The respondents, for their part, draw support from the Policy of the Government to restrict imports of products available indigenously in order to encourage local farmers. The Notifications, according to them, echo the aforesaid Policy decision and have been issued only to advance the object and rationale of the policy itself. Accordingly, they would urge that this Court should take into account the fact that if clearance of the imported consignments is permitted, small farmers would be greatly prejudiced and negatively impacted.

12. Learned counsels also point out that the Notifications in question had been the subject of challenge in several High Courts. The challenge had been rejected by a Division Bench of the Gujarat High Court vide its order dated 19.12.2018 in the case of Premium Pulses Products V. Union of India (R/special Civil Application Nos.16765, 17290, 17573 and 17664 of 2018). The importers had challenged the decision of the Gujarat High Court by way of a petition for Special Leave that had been rejected by the Supreme Court vide judgement dated 28.01.2019 in SLP (C) No.1922 of 2019 in the case of Kusum Agency V. Union of India and others. Accordingly, they would submit that goods in question assumed the character of prohibited goods and rightly not permitted to be cleared by the authorities.

13. The legal defence raised is that the imports would not be covered by the Notifications in question in so far as, for reckoning the date of import, it would be the date of Bill of Entry that would be relevant and not the date of Bill of Lading.

14. Learned counsels circulate an internal Instruction issued by the Directorate General of Foreign Trade dated 31.01.2019 referring to the dismissal of the Special Leave

Petition (SLP) against the order of the Gujarat High Court and instructing all officers within India not to permit clearance of the goods. They also stress upon the fact that it was only by reason of the stay granted by the learned single Judge of this Court that several imported consignments have been permitted to be cleared. To this, learned counsels for the petitioners point out that the Calcutta High Court has accepted the challenge to the Notification in question vide its decision in the case of Sanmarg Pvt. Ltd. Vs. Union of India [2019 (365) E.L.T. 273 (Cal)] and the aforesaid decision have not been challenged by the Revenue. A copy of the aforesaid decision is placed on record.

15. Heard learned counsel. The relevant facts that are admitted before me are:

(i) In the case of import of peas, substantially all imports in question are covered by Bills of Lading drawn between the dates of 01.10.2018 and 31.12.2019. There are however, a few instances where the Bills of Lading have been drawn after 01.01.2019 in which event this Order would not be applicable. This order will be applicable, in the case of imports of peas, only in respect of those consignments covered under Bills of Lading during the period 01.10.2018 to 31.12.2018. As far as import of consignments of dhalls are concerned, since the notification did not stipulate any time period, this restriction will not apply to the Writ Petitions filed in cases of imports of dhalls.

(ii) Some petitioners before me have challenged Notification bearing No.37/2015-2020 dated 28.09.2018 applicable for the period 01.10.2018 to 31.12.2018 by way of Writ Petitions in W.P.Nos.26433, 26440, 26495, 27056, 26464, 26471, 26475, 26479, 27319, 27327, 27336, 27370 of 2018. A learned Single Judge of this Court has stayed the operation of the Notification in question and such order of stay was valid and in subsistence at the time when the imports, have been made.

(iii) The liability to duty of the goods in question is as follows:

Yellow Peas, Green Peas, Dun Peas, Kasper Peas: 50%

Pigeon Peas/ Toor Dal : 10%

Urad Dal and Moong Dal : Nil

16. The limited questions that I am called upon to consider in the light of the admitted facts as above, are twofold:

(i) Whether the relevant date for the reckoning the date of the imports would be the date of Bill of Lading or Bill of Entry;

(ii) Whether there is any embargo on the import of the consignments of dhalls in the present cases;

(iii) Whether there is any embargo on the import of the consignments of peas imported during 01.10.2018 and 31.12.2018 and covered by Bills of Lading for the aforesaid period.

17. As regards the first issue, Regulation 9.11 of the Foreign Trade Policy specifically states that for the purpose of reckoning the date of import, the relevant date would be the date of Bill of Lading only. In the light of the aforesaid the Foreign Trade Policy being a complete code by itself, reference by the learned counsels for the Revenue to section 15 of the Customs Act, which fixes the date for determination of rate of duty and tariff for the purpose of valuation of imported goods as the date of Bill of Entry, may not be relevant.

18. The Supreme Court, in the case of Union of India V. Asian Food Industries (supra), considered the validity of exports of certain consignments of pulses. The admitted position was that the transactions for exports had been negotiated and finalised by the petitioner at a time when the exports was permitted. While this is so, the Central Government took the decision to ban export of pulses. The aforesaid decision was reported widely in the media. But the notification banning the export was issued only later in exercise of power under section 5 of the Foreign Trade (Development and Regulation Act), 1992, under which the Government prohibited export of various goods for a period of six months from the date of notification. By the time the said notification came to the knowledge of the petitioner, the consignments were under shipment, but were detained upon arrival by the customs authorities, who were of the view that the consignments were prohibited in the light of the notification issued. In the aforesaid circumstances, the Delhi High Court had expressed a view in favour of the customer. The view was affirmed by Supreme Court holding that a vested or accrued right cannot be taken away by reason of a policy. The relevant portions of the judgment are extracted below:

33. The scheme of the Foreign Trade Policy postulates that when the policy provisions are amended which are disadvantageous to the exporters, the modification would not be attracted.....

36. Different stages for the purpose of the said Act would, therefore, be different. For interpretation

of the provisions of the 1992 Act and the policy laid down as also the procedures framed thereunder vis-à-vis the provisions of the 1962 Act, the rate of custom duty has no relevance. What would be relevant for the said purpose would be actual permission of the proper officer granting clearance and loading of the goods for exportation. As soon as such permission is granted, the procedures laid down for export must be held to have been complied with.....

48. The Delhi High Court, however, in our view correctly opined that the notification dated 4.07.2006 could not have been taken into consideration on the basis of the purported publicity made in the proposed change in the export policy in electronic or print media. Prohibition promulgated by a statutory order in terms of Section 5 read with the relevant provisions of the policy decision in the light of Sub-section (2) of Section 3 of the 1992 Act can only have a prospective effect. By reason of a policy, a vested or accrued right cannot be taken away. Such a right, therefore, cannot a fortiori be taken away by an amendment thereof.

19. In the case of Priyanka Overseas Private Ltd. And another V. Union of India and others, the Supreme Court held as follows:

31. We have given our careful consideration to the arguments advanced by the learned counsel for the parties and have thoroughly perused the record. We have to first consider whether 'Palm Kernel' and 'palm seed' were two different commodities or 'Palm Kernel' was included in 'Palm seed' for the purposes of import. The difference between 'palm seed' and 'Palm Kernel' has been explained in the letter of the Central Plantation Crops Research Institute dated January 21, 1987 (placed on record), it reads as under:

"The difference between Palm Kernel and palm seeds has also been pointed out in the aforesaid letter according to which palm seed is specially extracted from fruits while kernel is a product obtained after sterilisation, digestion at 95 Celsius, pressing, decarping, shelling etc. The Palm Kernel will lose its viability due to the above processes and cannot be used for germination."

Under Appendix 5 Part (b) Item 5 of the Import Policy under the heading. Oils/seeds only Palm oil/Palm seeds have been mentioned. We agree with the view taken by the High Court in this regard that Palm Kernel cannot be included under the item palm seeds and the two commodities were different as understood in commerce or trade. We do not want to burden this judgment by citing those authorities which have already been considered for deciding this controversy by the High Court. We do not see any force in the contention of the learned Solicitor General in this regard that the government had only made a clarification vide Notification dated July 27, 1987 by introducing in Appendix 5 Part (b) Item No.5 "all other oils/seeds/any other material from which oil can be extracted". It is significant that in the aforesaid notification published in the Gazette of India Extraordinary para (1) Section 121, it was clearly mentioned that the same was issued as an amendment to the earlier Notice No.1-ITC (PN)/85-88 dated April 12, 1985. The notification stated that the following amendment shall be made in the Policy at proper places indicated below and then under the head amendment the new provision which included all other seeds from which oil can be extracted"was mentioned. It is therefore evident that the government of India itself, realised the difference in the two commodities therefore it amended its previous policy. We are therefore of the opinion that prior to July 27, 1987 'Palm Kernel'was not a canalised item and the High Court rightly held that 'Palm Kernel' was not included with in the entry of 'palm seed'.

Since 'Palm Kernel' was not included within 'palm seed' the customs authorities had no legal justification to confiscate or impose redemption fine, or penalty, as the goods had already been shipped on various dated i.e. On June 26, 1987 and July 25, 1987. It is no longer in dispute that if the Palm Kernel was not a canalised item before July 27, 1987 then it could have been imported under the OGL before that date. The crucial dates in this regard are June 26, 1987 and July 25, 1987 when the goods were actually loaded in the ship and not the date of arrival of the ship in the territorial waters of India.

(emphasis by underlining, mine)

20. In the light of the above, the relevant date for reckoning the import of the consignments of peas is the date of Bill of Lading.

21. Some submissions have been made on the merits of the challenge to the notifications itself. However, insofar as the Writ Petitions challenging notifications are, admittedly, pending decision before another learned single Judge of this Court, I consciously refrain from advert to the same.

22. The grant of stay of operation of the relevant Notifications and the pendency of the said stay as on the date of import is admitted. Thus, and in conclusion, on the basis of the admitted position on facts as recorded by me in paragraph 15 of this order and bearing in mind the balance of convenience in the present case, the consignments in question are liable to be released, though conditionally.

23. The petitioners will remit the entire duty component of the consignments imported by them in cases where such duty is leviable as per paragraph 15(iii) above along with a bank guarantee for the 10% of the invoice value. In cases where the duty impact is neutral, the petitioners shall furnish a bank guarantee for the 10% of the invoice value. Upon satisfaction of the aforesaid conditions, the consignments shall be released forthwith.

24. The authorities are at liberty to initiate proceedings in respect of the transactions in question and if done, the petitioners shall appear, be heard and file their submissions pursuant to which orders shall be passed by the authorities in accordance with law.

25. The petitioners have also prayed for waiver of demurrage charges incurred in respect of the detained consignments. In the light of Rule 6(1) of the Handling of Cargo in Customs Areas Regulations, 2009, which provides that the Customs Cargo Provider shall not, subject to any other law for the time being in force, charge any rent or demurrage on the goods seized or detained or confiscated by the Superintendent of Customs or Appraiser or Inspector of Customs or Preventive officer or examining officer, as the case may be, there shall be a waiver of demurrage charges.

26. The Writ Petitions are disposed of in the above terms. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-

Assistant Registrar (CS VIII)

//True Copy//

Sub Assistant Registrar

To

1. THE COMMISSIONER OF CUSTOMS
CHENNAI II COMMISSIONERATE
CUSTOM HOUSE, 60, RAJAJI SALAI,
CHENNAI - 600 001.
2. THE ASSISTANT/DEPUTY COMMISSIONER OF CUSTOMS,
GROUP -1
CHENNAI II COMMISSIONERATE
CUSTOM HOUSE, 60, RAJAJI SALAI,
CHENNAI - 600 001.

+21 ccs to M/S.P.Sidharthan, Advocate Sr.Nos.18890,18875, 78876,
18881,18891, 18873, 18879, 18892, 18874, 18878, 18872, 18889,
18888, 18887, 18886, 18885, 18884, 18883, 18882,18877, 18880

+10ccs to Mr.A.Suresh, Advocate Sr.18485

+3cc to M/S.K.Mohanamurali, Advocate Sr.18322, 18323, 18324
+8cc to Mr.S.R.Sundar, Advocate Sr.18378, 18377,18376, 18380,
18379, 18381, 18382, 18383
+1cc to Mr.Umesh Rao, Advocate Sr.18652
+1cc to Mr.C.Vigneshwaran, Advcoate Sr.18493
+1cc to Mr.B.Rabu Manohar, Advocate Sr.18482
+1cc to M/s.Aparna Nandakumar, Advocate Sr.18491
+30cc to Mr.B.Sathiskumar, Advocate Sr.18618
+1cc to Mr.G.Ethirajulu, Advocate Sr.19025

W.P.Nos. 4403, 4417, 4428, 4432,
4712, 4719, 4721, 4722, 4726, 4826, 4830,
4838, 4908, 4912, 4916, 4923, 4926, 4932,
4941, 4956, 4961, 4964, 4985, 4990, 4993, 5041,
5043, 5046, 5048, 5079, 5084, 5088, 5091, 5093,
5098, 5101, 5102, 5107, 5108, 5112, 5113, 5117,
5119, 5137, 5167, 5323, 5332, 5335, 5339, 5340,
5342, 5344, 5345, 5348, 5357, 5359, 5370, 5379,
5383, 5385, 5388, 5400, 5377 5390,
5481 and 5494 of 2019 & connected WMPs.

Srg 04/03/2019