

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23/4/2019

C O R A M

THE HONOURABLE MR.JUSTICE **S.MANIKUMAR**
and
THE HONOURABLE MR.JUSTICE **SUBRAMONIUM PRASAD**

Contempt Petition Nos.627 to 629 of 2019

Asian Copiers
rep. By its Proprietor
Mr.Akshay Khetterpal
New Delhi.

...Petitioner in Contempt Petition
No.627/2019

Prius Technologies
rep. By its Proprietor
Mr.Ankit Khetterpal
New Delhi.

...Petitioner in Contempt Petition
No.628/2019

Kutty Impex
rep. By its Proprietrix
Mrs.Mekala
Chennai.

...Petitioner in Contempt Petition
No.629/2019

Vs

1. Mr.Srinivasa Naik
The Commissioner of Customs
Chennai II Commissionerate
No.60 Rajai Salai
Customs House
Chennai 600 001.
2. Mr.Gopalsamy
The Joint Commissioner of Customs (Gr.5)
No.60 Rajaji Salai
Customs House
Chennai 600 001.

... Respondents in all
the contempt petitions

Prayer: Petitions filed under Section 11 of the Contempt of Court Act, 1971, to punish the respondents for willfully and contumaciously disobeying the order passed by this Court in W.P.No.15621, 15622 of 2018 dated 13/2/2019.

For Petitioner ...Mr.N.Viswanathan

For respondents ...Ms.Aparna Nandakumar
for CGSC

C O M M O N O R D E R

(Order of this Court was made by **S.MANIKUMAR, J.**)

Instant Contempt Petitions have been filed, to punish the respondents, for willfully and contumaciously disobeying the order passed by this Court, in W.P.No.15621, 15622 of 2018, dated 13/2/2019.

2. On 9/4/2019, while dismissing W.M.P.Nos.9704, 9706 and 9714 of 2019, filed for modification, we directed the Registry to post the Contempt Petitions, and thus it is listed today.

3. On the basis of instruction by the Deputy Commissioner of Customs, (Gr.5), Ms.Aparna Nandakumar, learned Central Government Standing Counsel for the revenue submitted that goods have been released, on payment of duty as agreed upon by the writ petitioners.

4. Note of the Deputy Assistant Commissioner of Customs (Group 5), addressed to the Assistant Commissioner of Customs (Legal - Sea), Custom House, Chennai 2, is reproduced hereunder:-

"Please refer to the orders dated 13/2/2019 and 15/4/2019 of the Hon'ble High Court, Madras in the above cited writ petitions and contempt petitions respectively filed by the importers, viz., M/s. Asian Copiers, Prius Technologies and Kutty Impex.

In compliance with the above orders of the Hon'ble High Court, the Department had assessed the imported MFDs vide the 3 Bill of Entries (1) 6307785 dated 9/5/2018 by M/s. Asian Copiers (Value - Rs.10076449/- and Duty - Rs.1813761/- (2). 6308615 dated 9/5/2018 by M/s. Prius Technologies (value - Rs.9083274/- and Duty - Rs.1634989) and (3) 6248148 dated 4/5/2018 by M/s. Kutty Impex (Value - Rs.6707405/- and Duty - Rs.1207333/- and the importers had obtained OOC in all the three cases. Further a letter dated 15/4/2019, vide F.No.S59/80/2018 - Gr.5 has been addressed to the CFS concerned M/s.Balmer Lawrie & Co. Lt., with a request to waive the demurrage charges concerned completely as directed by the Hon'ble High Court order, dated 15/4/2019."

5. We have gone through the proceedings, extracted supra. In view of the above, nothing survives in the Contempt Petitions, for further adjudication. Accordingly, Contempt Petitions are closed.

MVS

SD/-
JOINT REGISTRAR(OS)

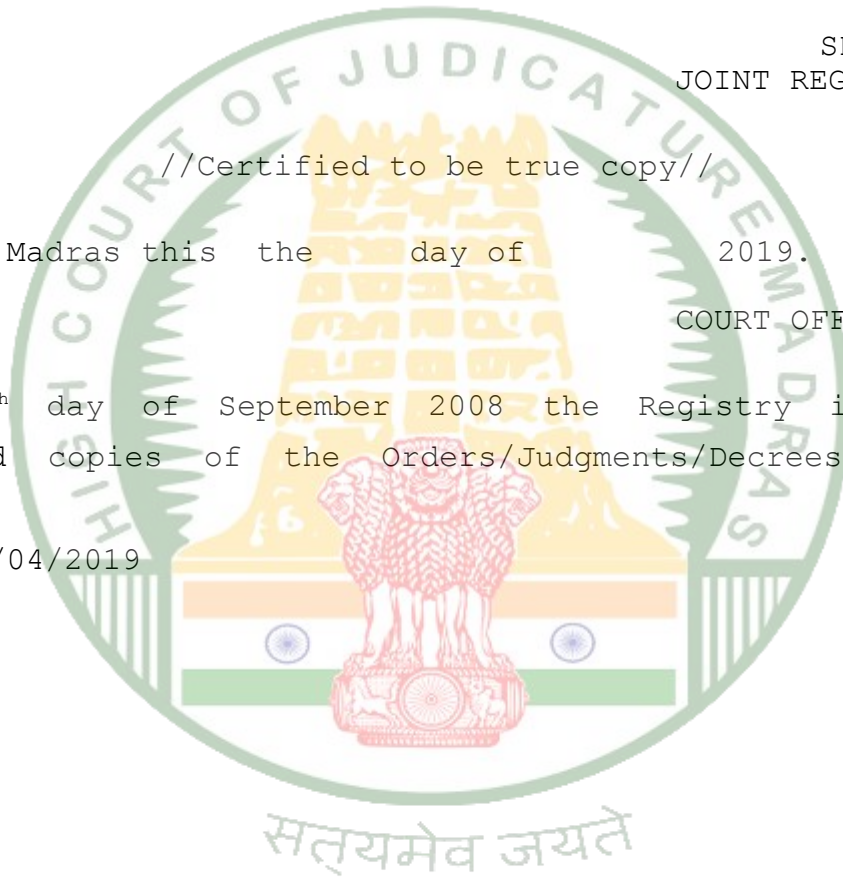
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Dated at Madras this the day of 2019.

COURT OFFICER(O.S.)

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SS/CO/24/04/2019



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