

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI
WRIT PETITION No.47398 of 2018

ORDER: (Per Hon'ble Sri Justice Sanjay Kumar)

This writ petition was filed assailing the Order in Original No.122/2018 dated 21.12.2018 passed by the Assistant Commissioner of Customs, O/o The Deputy/Assistant Commissioner of Customs, Rajiv Gandhi International Airport, Customs Commissionerate, Shamshabad, Hyderabad, Ranga Reddy District, the third respondent herein.

2. By order dated 03.01.2019 passed in this writ petition, this Court took note of the fact that Section 125(1) of the Customs Act, 1962, authorizes the adjudicating authority to give an option to the importer to pay fine in lieu of confiscation even in respect of prohibited items. As this aspect was not examined, this Court directed the third respondent to release the goods in question upon payment of fine as stipulated in the aforestated statutory provision.

3. We are now informed that the petitioner paid the fine quantified by the third respondent and the goods in question have also been released.

4. Ms. Vladimeer Khatoon, learned counsel for the petitioner, further states that pursuant to the liberty granted by this Court, vide the order dated 03.01.2019, the petitioner also preferred an appeal before the statutory appellate authority and based on the order passed in the said appeal, the goods have now been released.

She states that there is no further surviving cause for the petitioner to agitate.

In that view of the matter, the writ petition is closed. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. There shall be no order as to costs.

SANJAY KUMAR, J

ABHINAND KUMAR SHAVILI, J

August 23, 2019
DSK

