

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CWP 11599 of 2019
Date of decision:21.08.2019**

M/s Oster Knit Pvt.Ltd.

.....Petitioner

v.

Union of India and others

.....Respondents

**Coram: Hon'ble Mr.Justice Jaswant Singh
Hon'ble Mr.Justice Lalit Batra**

Present:- Mr.Jagmohan Bansal,Advocate for the petitioner.

Mr.Sunish Bindlish,Advocate for the respondents.

Jaswant Singh,J,

Petitioner-a private limited company imported one consignment of blankets through Ludhiana Port and respondents detained the said consignment by forming an opinion that the goods in question were not blanket but fabric. The dispute regarding classification of said consignment was decided by Customs,Excise and Service Tax Appellate Tribunal vide order dated 28.8.2018 whereby appeal of the respondents was dismissed and classification of consignment as claimed by the petitioner was upheld. In the interregnum petitioner further imported three more consignments which were released by respondents against bank guarantee furnished by the petitioner. In the present petition, it is grievance of the petitioner that the dispute having been finally adjudicated by the Tribunal, the respondents are not releasing the bank guarantee

furnished by it.

Notice of motion was issued.

On 19.7.2019 counsel for the respondents sought time with the assurance that before the next date the respondents would release the bank guarantee furnished by the petitioner.

At the time of hearing today, learned counsel for the respondents has produced letter dated 20.8.2019 written by Assistant Commissioner(Legal), office of Commissioner of Customs,Ludhiana whereby it has been stated that the bank guarantees stand released to the party. The said letter is taken on record.

Learned counsel for the petitioner who is present in Court does not dispute the contents of the said letter and concedes that the present writ petition has become infructuous.

Dismissed as infructuous.

(Jaswant Singh)
Judge

21.08.2019.
joshi

(Lalit Batra)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No