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

WRIT PETITION NO. 3324 OF 2019

Elan Fashions Private Limited

... Petitioner

V/s.

The Union of India and Ors.

... Respondents

Mr. Bharat Raichandani a/w. Mr. J.K. Shah i/b. R.J. Law for the
Petitioner

Mr. Pradeep Jetly for Respondent No.2

Ms. S.V. Bharucha for the Respondent Nos. 1, 3 to 5

***CORAM : NITIN JAMDAR &
M.S. KARNIK, JJ.***

DATE : 09 JANUARY 2020.

P.C. :-

Heard learned Counsel for the parties.

2. On 16 December 2019 we had passed the following
order :-

*“The learned Counsel for the Petitioner submits
that the limited relief the Petitioner seeking in this
Petition is a direction to Respondent No.2 – Deputy
Commissioner of Customs to permit the Petitioner to
amend the Shipping Bill. He submits that once this is*

done, an appropriate representation would be made to Respondent Nos.3 and 4 on the basis of such a modified entry. The learned Counsel for the Petitioner states that an intimation has given to Respondent No.2 of the Petition. None appears for the Respondent No.2.

2. Issue notice to Respondent No.2, returnable on 9 January 2020.

3. In addition to the court notice, the Petitioner is permitted to serve private notice through Registered Post A.D./Speed Post/E-mail and file affidavit of service before the returnable date.”

3. The learned Counsel for Respondent No.2 states that though the power exist to correct a shipping bill under Section 149 of the Customs Act, a proper application needs to be made by the Petitioner, to be considered as per law. The learned Counsel for the Petitioner states that an application will be made within a period of one week from today.

4. If such application is made within a period of one week from today, the learned Counsel for Respondent No.2 on instructions states that it would be decided as per law within a period of four weeks. Statement is accepted.

5. In view of this position, the Writ Petition is disposed of in the above terms.

M.S. KARNIK, J.

NITIN JAMDAR, J.

**Jyoti P.
Pawar**

Digitally signed
by Jyoti P.
Pawar
Date:
2020.01.13
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