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IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 29th January, 2020

+ W.P.(C) 154/2020 and CM No. 413/2020

M/S MANAVI EXIM PVT. LTD. Petitioner

Through: Ms. Sweta Rani, Adv.

versus

THE ASSISTANT COMMISSIONER OF CUSTOMS, ICD,

..... Respondent

Through: Mr. Amit Bansal, Sr. Standing
Counsel with Mr. Aman Rewaria and
Ms. Vipasha Mishra, Adv.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

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29.01.2020

D.N. PATEL, CHIEF JUSTICE (ORAL)

CM No. 413/2020 (exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application is disposed of.

W.P.(C) 154/2020

1. This petition has been preferred with the following prayers :

*“(a) Cancel and return the PD Bond No. 2501264370
for an amount of Rs. 34,92,682.00 and Original Bank
Guarantee No. 003GT01172070013 dated 26.07.2017*

submitted against Bill of Entry No. 9844816 dated 26.05.2017 for the purpose of provisional release at the time of clearance of goods; and/or

(b) pass other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.”

2. Having heard learned counsel for both the sides and looking to the facts and circumstances of the case, it appears that the bank guarantee in question is not a live bank guarantee. Moreover, as submitted by learned counsel for the respondent that *vide* a communication dated 23rd January, 2020, the Provisional Duty Bond for ₹ 34,92,685/- has been cancelled. It is further submitted by learned counsel for the respondent that by the aforesaid communication, the petitioner has been allowed to collect the bank guarantee dated 26th July, 2017.

3. In view of aforesaid statements made by learned counsel for the respondent with respect to the Provisional Duty Bond and the Bank Guarantee, the grievances ventilated in this writ petition have been brought to an end by the respondent.

4. Hence, this writ petition is hereby disposed of.

CHIEF JUSTICE

C.HARI SHANKAR, J.

JANUARY 29, 2020/kr