

#2

**IN THE HIGH COURT OF DELHI AT NEW DELHI**

*Judgment Delivered On: 25.06.2020*

**LPA 166/2020**

**M/S POLYCHEM TRADE FOUNDATION & ORS.....Appellants**

versus

**UNION OF INDIA & ORS**

.....Respondents

Advocates who appeared in this case:

|                     |                                                                                                                                                                                                                                                                                                                                                                                                          |
|---------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| For the Appellants  | : Mr. Sandeep Aggarwal, Senior Advocate with<br>Mr. Abhishek Aggarwal, Advocate                                                                                                                                                                                                                                                                                                                          |
| For the Respondents | : Mr. Amit Bansal, Senior Standing Counsel with<br>Ms. Vipasha Mishra, Advocate for R-1<br>Mrs. Maninder Acharya, ASG with Mr. Asheesh<br>Jain, CGSC, Mr. Adarsh Kumar Gupta and Mr.<br>Viplav Acharya, Advocates for R-2<br>Mr. Vikram S. Nankani, Senior Advocate with<br>Mr. Naresh Thacker, Advocate for R-3<br>Mr. Naresh Thacker, Mr. Kumar Visalaksh and<br>Mr. Udit Jain, Advocates for R-4 to 6 |

**CORAM:**

**HON'BLE MR. JUSTICE SIDDHARTH MRIDUL**

**HON'BLE MR. JUSTICE TALWANT SINGH**

**JUDGMENT**

**SIDDHARTH MRIDUL, J. (via Video Conferencing)**

The present matter has been taken up for hearing by way of Video Conferencing on account of COVID-19.

**CM APPL.13394/2020 (Exemption)**

The present application under Section 151 of the Code of Civil Procedure, 1908 has been filed on behalf of the applicants/appellants

seeking exemption from filing the original/hard copies of the documents, dim and typed copies of the annexures and to pay the requisite court fees.

For the reasons stated in the application and in view of the present prevailing situation, the same is allowed. The applicants/appellants are allowed to file the original/hard copies of the documents within a period of one week from the date of resumption of regular functioning of the Court. Further, the applicants/appellants are allowed to file the requisite court fee within a period of 72 hours from the date of resumption of regular functioning of the Court. Further, from filing the dim and typed copies of the annexures, is also granted, subject to all just exceptions.

With the above directions, the present application is disposed of.

**LPA 166/2020 & CM APPL. 13393/2020**

1. The present letters patent appeal under Section 10 of the Delhi High Court Act, 1966 assails the order dated 22.05.2020, passed by the learned Single Judge in W.P. (C) 3029/2020 titled as '*M/s. Polytech Trade Foundation vs. Union of India & Ors.*', whereby CM APPL.10546/2020, instituted on behalf of the appellants, substantially seeking release of goods stated to have been imported by the appellants, without insisting upon the payment of ground rent/demurrage/container detention charges etc., was declined and the prayer for mandatory injunction was dismissed.

2. We have heard learned counsel appearing on behalf of the parties at length and have also taken notice of the circumstance that the writ petition itself is now listed for hearing on 23.07.2020 and are also conscious of the exigencies attracted to the release of the goods imported by the appellants and their expeditious handing over to the consignees; and in view thereof, dispose of the present appeal by consent with a request to the learned Single Judge to hear the writ petition itself expeditiously commencing on the 23.07.2020, without granting any unwarranted adjournments to the parties.

3. No other directions are called for.

4. With the above directions, the present appeal is accordingly disposed of. The pending application also stands disposed of.

**SIDDHARTH MRIDUL**  
**(JUDGE)**

**TALWANT SINGH**  
**(JUDGE)**

**JUNE 25, 2020** / *dn/as*