

Vidya Amin

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 2503 OF 2021

Kishorchandra Kalyanji Agri LLP

.. Petitioner

vs.

Union (through the Secretary), Ministry of
Law and Justice, Dept. of Legal Affairs and Ors.

.. Respondents

Dr. Sujay Kantawala i/b. India Law Alliance for the petitioner.
Mr. J.B. Mishra for the respondent-UOI.

**CORAM :- DIPANKAR DATTA, CJ &
G. S. KULKARNI, J.**

Date :- July 8, 2021.

PC :

An order in original dated December 20, 2020 passed by the respondent no.2, the Additional Commissioner of Customs, Grp-I, NCH, Mumbai, is under challenge in this writ petition essentially on the ground that such order had been passed without considering the judgment and order dated October 15, 2020 passed by this Court while deciding Writ Petition (L) No. 3502 of 2020 and Writ Petition (L) No. 3503 of 2020.

2. Doubtless, the judgment and order dated October 15, 2020 has been set aside by the Supreme Court of India by its judgment and order dated June 17, 2021 while disposing of Civil Appeal No. 2217-2218 of 2021 (Union of India & Ors. vs. Raj Grow Impex LLP & Ors.). The judgment and order dated October 15, 2020 having been set aside by the Supreme Court, the plinth on which this writ petition rests does not survive.

3. At this stage, Mr. Kantawala, learned advocate appearing for the petitioner seeks leave to withdraw this writ petition with liberty to pursue the representation dated June 24, 2021 filed before the respondent no. 2 in the light of the observations made in the judgment and order dated June 17, 2021 of the Supreme Court.

4. The writ petition is allowed to be withdrawn. It stands dismissed as such. No costs.

5. We have no doubt that the representation filed by the petitioner shall be considered and disposed of in accordance with law as expeditiously as possible, but preferably within one week.

(G. S. KULKARNI, J.)

(CHIEF JUSTICE)