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

WRIT PETITION NO. 5130 OF 2021

Fine Exime Private Limited

.. Petitioner

Vs.

Union of India & Ors.

.. Respondents

Mr. Prashant Mishra with Ms. Priyanka Lokhande for petitioner.
Mr. Anil Singh, Addl. Solicitor General and Mr. Pradeep Jetly,
Senior Advocate a/w Mr. Jintendra B. Mishra a/w Mr. Lilesh
Sawant a/w Mr. Aditya Thakkar for respondent nos.1 to 3 -
UOI.

Mr. Huzeta Nasikwala, Mr. Sujit S. Mashal i/by Nasikwala Law
Office for respondent no.4.

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

DATE : SEPTEMBER 20, 2021

PC:

1. Mr. Singh, learned Additional Solicitor General representing the respondents, on instructions, submits that the order of provisional attachment impugned in this writ petition dated August 4, 2021 has since been withdrawn by the Principal Commissioner, Central Tax & Cx, Mumbai East. He also submits, on instructions, from Mr. Milind Gawai, Principal Commissioner, Central Tax & Cx, Mumbai East that the order passed on August 16, 2021 provisionally attaching the petitioner's account shall be withdrawn.

2. Mr. Mishra, learned advocate appearing for the petitioner, undertakes on behalf of the petitioner that any amount lying to its credit in Account No. 811210221375 with DBS Bank shall not be withdrawn till close of working hours on September 22, 2021.

3. In view of such submission of the parties, nothing survives for decision on this writ petition. The same stands disposed of, without costs.

4. We reiterate that the respondents would be at liberty to proceed in accordance with law as well as in the light of paragraph 16 of the judgment and order dated August 10, 2021 passed by this Court while disposing of Writ Petition No. 2127 of 2021. Should any further action be taken by the respondents against it, the petitioner shall be free to question it in appropriate proceedings before the competent forum.

5. We record the apology tendered by Mr. Milind Gawai, who is present in Court, for having passed the order dated August 4, 2021 prior to pronouncement of the judgment dated August 10, 2021 in Writ Petition No. 2127 of 2021. He also submits that he shall be cautious in future so as not to interfere with the administration of justice.

6. Apology tendered by Mr. Gawai is accepted.

(G. S. KULKARNI, J.)

(CHIEF JUSTICE)

corrected as per speaking to minutes order dated September 24, 2021.