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

Date of Decision: 13th July, 2021

+ W.P.(C) 6420/2021

M/S SMH SHIPPING PVT LTD Petitioner
Through Mr. Pradeep Jain, Advocate

versus

COMMISSIONER OF CUSTOMS & ANR. Respondents
Through

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MS. JUSTICE JYOTI SINGH
JUDGMENT

D.N. PATEL, CHIEF JUSTICE(ORAL)

Proceedings have been conducted through video conferencing.

CM APPL. 20179/2021 (Exemption)

Allowed, subject to all just exceptions.

Application is disposed of.

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1. After hearing learned counsel for the Petitioner, we are not inclined to issue notice in the present writ petition wherein the petitioner seeks directions to the Respondents for release of the Bank Guarantees furnished in August 2017. Learned counsel for the Petitioner is unable to point out any document placed on record of this Court or even an averment in the writ petition that that Bank Guarantees are currently valid and alive. Nor is there

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an averment that the Respondents have given any directions to revalidate the Bank Guarantees over a period of nearly 4 years.

2. At this stage, learned counsel for the Petitioner seeks to withdraw the writ petition with liberty to make a representation before the concerned Authority, for release of Bank Guarantees after satisfying them that the Bank Guarantees are alive and if so, furnishing the reasons for their release.

3. Liberty as aforesaid is granted. As and when such representation is preferred by the Petitioner, the same shall be decided by the Authority concerned in accordance with law, rules and regulations and Government policies applicable to the facts of the case, as early as possible and practicable.

4. Writ petition is hereby disposed of as withdrawn with liberty as aforesaid.

CHIEF JUSTICE

JYOTI SINGH, J

JULY 13, 2021/rk