

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

PURTI
PRASAD
PARAB

Digitally signed by
PURTI PRASAD
PARAB
Date: 2022.07.12
18:47:18 +0530

**INTERIM APPLICATION NO. 10323 OF 2022
IN
WRIT PETITION NO. 1171 OF 2022**

Jindal Drugs Private Limited

....Applicant

V/s.

Union of India and Ors.

...Respondents

Mr. Prakash Shah a/w Mr. Viraj Y. Bhate i/b PDS Legal for Applicant.

Mr. Pradeep Jetly, Senior Advocate a/w Ms. Maya Majumdar for Respondents.

**CORAM : K.R. SHRIRAM &
MILIND N. JADHAV, JJ.**

DATED : 11th JULY, 2022

P.C. :

1. This application is taken out to direct respondents to forthwith implement the order dated 25th April, 2022 and to release goods and also to issue detention and demurrage waiver certificates. On 30th April, 2022 a letter was addressed by applicant to Respondent No.2 to comply with the order dated 25th April, 2022. There was no response. A reminder was sent on 17th June, 2022 addressed to Respondent No.2 and also the Joint Commissioner of Customs (Import), still there was no response. This application therefore came to be filed. No reply has been filed. Mr. Jetly states on instructions that a proposal has been sent by Respondent No.2 to challenge the order dated 25th April, 2022 before the Hon'ble Apex Court. Mr. Jetly in fairness states that on 20th May, 2022 the proposal was sent. There does not seem to be any followup thereafter.

2. In the circumstances, we hereby direct Respondent No.2 to forthwith release the goods and also issue detention certificate within one week from today. It is made clear to Respondent No.2 that failure to comply with these directions will result in contempt proceedings being initiated against Respondent Nos. 2 and 3.

3. In our view, it was the duty of Respondent Nos.2 and 3 to have taken prompt steps and not just sit on the file by simply sending a proposal. If only Respondent Nos. 2 and 3 had taken prompt steps, petitioner would not have had to approach this court with this application. Therefore, application is disposed accordingly with cost in the sum of Rs.10,000/- (Rupees Ten Thousand Only) to be paid personally by Respondent No.2. This cost shall be paid to P.M. Care Funds within two weeks from today. The account details are as under :

Name of the Account : PM CARES
Account Number : 60355358964
IFSC : MAHB0001160
Branch : UPSC - New Delhi

4. Respondent No.2 shall also file a personal affidavit annexing thereto copy of his passbook to confirm that the donation has been made in compliance with this order and copy of affidavit shall also be served to petitioner.

5. Interim Application stands disposed.

6. Stand over to 1st August 2022 for compliance.

(MILIND N. JADHAV, J.)

(K.R. SHRIRAM, J.)