

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

WRIT PETITION NO.9552 OF 2022

Detroit Speed (OPC) Private LimitedPetitioner

Vs.

The Union of India and Anr.Respondents

Mr. Ashok Singh for petitioner.

Mr. J.B. Mishra a/w. Mr. D.B. Deshmukh for respondents.

CORAM : K. R. SHRIRAM &

A. S. DOCTOR, JJ.

DATED : 3rd OCTOBER 2022

P.C. :

1 The relief in the petition is very limited in as much as petitioner states it has imported two vintage cars as per the Bill of Entry No.7894249 dated 16th March 2022 which has not been permitted to be cleared.

2 Mr. Singh states that if only respondent no.2 could provisionally assess the duty and allow clearance of the two cars subject to such conditions as may be imposed, the petition can be disposed. Mr. Singh further states that by a letter dated 17th June 2022 petitioner had even requested the Deputy Commissioner of Customs, Nhava Sheva for provisional release of the two cars to which there has been no response.

3 Mr. Mishra states that petitioner could resubmit the representation to respondent no.2, who shall either personally or through the Deputy Commissioner of Customs, assess the imported goods and pass

such orders as he deems fit in accordance with law. Mr. Singh agrees to resubmit the representation to respondent no.2 alongwith supporting documents within one week from the date this order is being uploaded.

4 Respondent no.2 shall consider the representation and pass such orders as he deems fit in accordance with law which shall also include passing duty assessment order but before passing any order, respondent no.2 shall give a personal hearing to petitioner, notice whereof shall be communicated atleast 5 working days in advance. The order shall be a reasoned order. Respondent no.2 shall dispose the representation within six weeks from today.

5 Petition disposed.

6 We hasten to clarify that we have not made any observation on the merits of the matter.

(A. S. DOCTOR, J.)

(K. R. SHRIRAM, J.)