

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.2508 OF 2012

Union of India : Petitioner.
Versus
Customs & Central Excise
Settlement Commission and ors. : Respondents.

Mr. Pradeep S Jetly, Senior Advocate with Mr. Dhananjay B Deshmukh for
Petitioner.

Mr. Jas Sanghavi i/by Mr. Sanjay Agarwal for Respondent Nos.2, 3, 5 to 7 and
9.

**CORAM : K. R. SHRIRAM &
A.S. DOCTOR, JJ.
DATED : 10th AUGUST 2022**

P.C.

1 Respondent No.5 had filed Transfer Application (Criminal) No.38-
39 of 2013 before the Apex Court in which Respondent No.5 had prayed to the
Apex Court to withdraw and transfer the pending Criminal Writ Petition
No.1502 of 2012 and Writ Petition (Lodging) No.1523 of 2012 filed by Union
of India (which is later numbered finally as Writ Petition No.2508 of 2012),
which were pending in this Court. Application was made under Article 139A
of the Constitution of India for comprehensive adjudication as similar question
of general importance had already been considered by Apex Court in Writ
Petition No.249 of 2011. On 12th June 2013 a statement was made that
Transfer Application was still pending and this Petition was therefore stood

over.

2 Order dated 16th July 2013 passed by Apex Court in Writ Petition (Criminal) No.137 of 2011 reads as under :-

*“Leave granted in the Special Leave Petitions. Transfer
Petition (Cri) Nos.38/39 of 2011 are allowed.*

The Judgment has been reported in 2013 (298) E.L.T. 3 (S.C.). Therefore application filed by Respondent No.5 to transfer this present Petition with the pending petition before Apex Court has been allowed. Therefore nothing remains in this petition before this court. Petition accordingly disposed.

[A.S. DOCTOR, J]

[K. R. SHRIRAM, J]