

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2022

CORAM

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.NO.26977 OF 2019

AND

W.M.P.NO.26376 OF 2019

M/s.Biking Brotherhood,
Represented by its Proprietor,
Aysha Fathima,
No.202, TNHB, 4th Street,
Behind HDFC Bank, Korattur,
Chennai - 600 080.

... Petitioner

Vs

1. The Deputy Commissioner of Customs (Group 1-4),
New Custom House, Meenambakkam,
Chennai - 600 027.
2. The Deputy Commissioner of Customs (SIIB),
New Custom House, Meenambakkam,
Chennai-600 027.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned letter dated 15.12.2018 of the 1st Respondent in F.No.S.Misc.638/2017-Gr.1-4-ACC and quash the same and further direct the 1st Respondent, to refund the amount appropriated by encashing the bank guarantee dated 05.05.2017 along with interest to the petitioner.

For Petitioner : Mr.Hari Radhakrishnan

For Respondents : Mr.T.Pramod Kumar Chopda
Senior Standing Counsel

O R D E R

This writ petition is rendered infructuous insofar as it was filed pending adjudication proceedings. In the interim, an order of adjudication has been passed, which is stated to have been challenged by the petitioner before the first appellate authority. Thus, return of bank guarantee or otherwise would depend on the order to be passed by the appellate authority.

2. Recording this, this writ petition is closed. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

vs

To

1. The Deputy Commissioner of Customs (Group 1-4),
New Custom House, Meenambakkam,
Chennai - 600 027.
2. The Deputy Commissioner of Customs (SIIB),
New Custom House, Meenambakkam,
Chennai-600 027.

+1cc to Mr.T.Pramod Kumar Chopda, Advocate, S.R.No.42134

+1cc to M/s.Hari Radhakrishnan, Advocate, S.R.No.42424

WP.No.26977 of 2019 and
WMP.No.26376 of 2019

SVI(CO)
RLP(19/07/2022)