

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO. 5696 OF 2021

M/s.Bhavani Shipping Services (I) Pvt.Ltd. ... Petitioner.
V/s.
Union of India and others. ... Respondents.

None for the Petitioner.

Mr.J.B.Mishra for Respondent No.1.

Mr.Vinay Anshulkar with Ms.Neeta Rajda, Ms.H.Engineer i/b.

M/s.Gordhandas & Fozdar for Respondent No.3.

CORAM : NITIN JAMDAR AND
ABHAY AHUJA, JJ.

DATE : 13 April 2023.

P.C. :

The petition is filed for the following reliefs:

“a) Issue appropriate directions in the form of writ to the Respondent No.1 to initiate an inquiry against the Respondent No.3 as contemplated under Section 12 of Handling of Cargo in Customs Area Regulations, 2009 towards considering the theft/ pilferage caused due to negligent behavior/ conduct of the custodian;

b) Issue appropriate directions in the form of writ to Respondent No.1 for Suspension/ revocation of license of Respondent No.3 issued to the custodian as approved under regulations of Handling of Cargo in Customs Area Regulations, 2009;”

2. The learned counsel for the Respondent No.1 states that an enquiry was initiated and the same has been culminated in the order-in-original dated 25 September 2020 and Respondent No.3 has also challenged the said order and the challenge is pending before the Tribunal. Perhaps that is the reason why the Petitioner is not attending the hearing for last two occasions as the reliefs have been worked out.

3. In light of this, writ petition is dismissed for non-prosecution.

(ABHAY AHUJA, J.)

(NITIN JAMDAR, J.)