

JPP

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

WRIT PETITION NO. 7765 OF 2022

Ariova Enterprises Pvt. Ltd.

... Petitioner

V/s.

Union of India and Ors.

... Respondents

and

WRIT PETITION NO. 15162 OF 2022

Blue Brilliance Exim Pvt. Ltd.

... Petitioner

V/s.

Union of India and Ors.

... Respondents

Mr. Brijesh Pathak for the Petitioners in both Petitions

Mr. Jitendra B. Mishra with Mr. Dhananjay Deshmukh for
Respondent Nos.1 and 2 in WP 7765/22

Mr. Pradeep S. Jetly, Senior Advocate with Mr. Jitendra B. Mishra
and Dhananjay Deshmukh for Respondent Nos. 1 and 2 in WP
15162/22

***CORAM : NITIN JAMDAR &
ABHAY AHUJA, JJ.***

DATE : 13 APRIL 2023

P.C. :-

These Petitions challenge the order of attachment issued
under Section 110(5) of the Customs Act, 1962.

2. The earlier bank account was freezed for a period of six months and thereafter, it was again extended from 12 October 2022 which period was expired on 12 April 2023. The learned Counsel for the Respondents confirms that the same has not been extended. Under the statutory provision if bank account is freezed, by efflux of time as provided under the statute, the attachment would stand lifted after a period of one year. The learned Counsel has relied on the decision in the case of *Samyak Jewels Pvt. Ltd. v/s. Union of India and Ors.*¹ (WP 2677/2020 dated 25 September 2020).

3. In the light of the above position, since the period for action of freezing the bank account has lapsed by efflux of time, we dispose of the Petitions.

4. The concerned parties will act on the copy of this order to take necessary consequential steps.

ABHAY AHUJA, J.

NITIN JAMDAR, J.

JYOTI
PRAKASH
PAWAR

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