

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.15590 OF 2022

Geodis USA, LLC.

... Petitioner

V/s.

Union of India and ors.

... Respondents

Mr.Suyash S. Bhave i/by M/s DMD Advocates, Advocates for the
Petitioner.

Mr.Rahul Sarda, Advocates for Respondent Nos.1 to 3.

CORAM : NITIN JAMDAR AND
ABHAY AHUJA, JJ.
DATE : 18 JANUARY 2023.

P.C.:-

1. On 21 December 2022 following order was passed:-

“Heard the learned Counsel for the parties.

2. Grievance of the Petitioner is that the Petitioner has leased the subject container which contains certain goods which are required to be auctioned by the Respondent No.4, yet the Respondent No.4 is failed to do so which has caused prejudice to the Petitioner as the Petitioner has to pay the lease amount.

Priya Soparkar

3. *The learned Counsel for the Petitioner states that the Respondent – Customs Authorities have sufficient powers to redress the situation. The learned Counsel for the Respondent – Customs states that the Respondent No.4 has taken steps pursuant to the directions of the Customs to hold an auction, however the auction has not fructified.*

4. *It appears that that this position has been continued since September 2019. We are of the opinion that it will be appropriate that direct the Commissioner of Customs (Nhava Sheva), either himself or through an Officer designated by him will call for joint meeting between the Petitioner and the Respondent No.4 to make an attempt to resolve the issue, as such issues need not be brought before the Court.*

5. *Stand over to 18 January 2022. To be placed under the caption “For Directions”.*

6. *In the meanwhile, the Petitioner will give notice to the Respondent No.4 and file affidavit of service.”*

2. The learned counsel for the parties state that pursuant to our suggestion Commissioner of Customs, Nhava Sheva held joint meeting and has resolved the issue and the learned counsel for the Petitioner states that the grievance having been satisfied, writ petition does not survive.

3. Writ Petition is accordingly disposed of.

4. The efforts taken by the Commissioner to resolve the issue are appreciated.

(ABHAY AHUJA, J.)

(NITIN JAMDAR, J.)

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