

Prajakta Vartak

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

**INTERIM APPLICATION NO. 7030 OF 2024
IN
WRIT PETITION NO. 928 OF 2024**

Senior Intelligence Officer, DRI (AZU) & Anr.	...Applicants
In the matter between	
Dream Woodly Interio Pvt. Ltd. & Anr.	...Petitioners
Vs.	
Union of India & Ors.	...Respondents

**AND
INTERIM APPLICATION NO. 7028 OF 2024
IN
WRIT PETITION NO. 926 OF 2024**

Assistant Director, DRI (AZU) & Anr.	...Applicants
In the matter between	
Navajo Polymers Pvt. Ltd.	...Petitioner
Vs.	
Union of India & Ors.	...Respondents

**AND
INTERIM APPLICATION NO. 7029 OF 2024
IN
WRIT PETITION NO. 927 OF 2024**

Assistant Director, DRI (AZU) & Anr.	...Applicants
In the matter between	
Casco Poly Plats Pvt. Ltd.	...Petitioner
Vs.	
Union of India & Ors.	...Respondents

Mr. Jitendra B. Mishra with Ms. Sangeeta Yadav for Applicants.
 Dr. Sujay Kantawala i/b Ms. Sabeena Mahadik for Petitioners in WP/928/2024.
 Dr. Sujay Kantawala i/b Mr. Pankaj Uttaradhi for Petitioner in WP/926/2024.
 Dr. Sujay Kantawala i/b Mr. Mangesh Avhale for Petitioner in WP/927/2024.

CORAM: G. S. KULKARNI &
FIRDOSH P. POONIWALLA, JJ.

DATE: 03 APRIL, 2024.

P.C.

1. This interim application has been filed in the petition which was withdrawn by our order dated 22 January, 2024 which reads thus:-

“1. After this petition was heard for sometime, Mr. Kantawala, learned counsel for the petitioner fairly states that the petitioners would intend to withdraw the petition and raise all contentions before Respondent No.5-Assistant Director, DRI (AZU) & Respondent No.6-Senior Intelligence Officer, DRI (who are also impleaded in the companion petitions), including on the objection to the jurisdiction of respondent Nos. 5 & 6, on the summons as received by the respondent Nos. 5 & 6 in view of the license being granted by respondent No.2 the Directorate General of Foreign Trade, Mumbai. We permit the petitioners to raise such objections. If such objections are raised, respondent Nos.4 & 5 shall consider such objections and pass a speaking order on such objections after hearing the petitioners. An order on the same be passed as expeditiously as possible and in any event within a period of four weeks from the objection being heard.

2. Considering that there are issues of law involved, we permit the petitioners to be represented by a legal representative, at the hearing on the petitioners objection. This however shall not in respect of any investigation where statements of the petitioners / its directors are required to be recorded and the same be undertaken in accordance with law.

3. All contentions on any investigation or any other proceedings are expressly kept open.

4. Allowed to be withdrawn, however subject to the above observations.”

2. The apprehension of the applicants/original respondent nos.5 and 6 is in regard to the observations as made in paragraph 1 of the said order. The said observations are in the context of the summons which was issued to the

applicants/original respondent nos.5 and 6 and then appropriate position to be taken in that regard considering the position in law. We have hence permitted the parties to raise their respective contentions/ objections and such objections were to be taken into consideration. The only clarification we can issue is that instead of a speaking order on such objections is to be passed, the view which would be taken by the applicants, on the petitioners' objections, be informed to the petitioners by the applicants by a communication/letter.

3. All contentions of the parties are expressly kept open.
4. Except for what has been stated above, no further orders are required to be passed.
5. Interim applications shall stand disposed of in the aforesaid terms. No costs.

(FIRDOSH P. POONIWALLA, J.)

(G. S. KULKARNI, J.)