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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 7032 OF 2024

IN

WRIT PETITION NO. 1674 OF 2024

The Commissioner of Customs, (Preventive) and Ors ... Applicants

In the matter between

Mukul Gupta Petitioner

Versus

Union of India and Ors ... Respondents

Ms. Sangeeta Yadav, for Applicants.

Mr. Prakash Shah a/w. Mr. Jas Sanghavi i/b PDS Legal, for Respondents.

**CORAM: G. S. KULKARNI &
GAURI GODSE.**
DATED: 21st MARCH, 2024

P.C.

This court had disposed of the Writ Petition by Judgment and Order dated 21st February 2024, in terms of para 35, which reads thus:

“35. For the aforesaid reasons, we pass the following orders:-

- a) The Petitioner is entitled for provisional release of the Ethanol Absolute under Bill of Entry No. 7515045 dated 25th August 2023 on execution of a bond by the Petitioner to secure the differential duty and consequential amount, if any.*
- b) The Respondents are directed to release the goods within a period of two weeks from the execution of such a bond by the petitioner.*
- c) All contentions of the parties with regard to classification are kept open to be considered in appropriate proceedings.*
- d) Rule is made absolute in the aforesaid terms.*
- e) The Writ Petition is disposed of.*

f) In the facts and circumstances of the case, there will be no order as to costs.”

2 By the present application, the respondents seek extension of time for release of goods as directed in para 35(b) of the Judgment and Order dated 21st February 2024. Perusal of the said direction, clearly sets out that the goods were to be released within two weeks from the execution of such bond by the Petitioner. The time for releasing goods is yet to be over. We thus do not find any substance in the application and hence, the application is not maintainable. It is accordingly rejected. No costs.

(GAURI GODSE, J.)

(G. S. KULKARNI, J.)