

## IN THE HIGH COURT OF JUDICATURE AT BOMBAY

## CIVIL APPELLATE JURISDICTION

## WRIT PETITION NO. 3907 OF 2024

Akash Bhagwan Goswami

...Petitioner

***Versus***

Union of India &amp; Ors

...Respondents

**Mr. Jas Sanghavi, a/w Vikas Poojary, i/b PDS Legal, Advocates for the Petitioner.**

**Mr. Jitendra Mishra, a/w Sangeeta Yadav, Umesh Gupta, Advocates for Respondents.**

**CORAM : B. P. COLABAWALLA &  
SOMASEKHAR SUNDARESAN, JJ.**

**DATE : MAY 06, 2024**

**PC :**

1. The above Writ Petition is filed seeking a Writ of Mandamus directing the Respondents to forthwith release goods imported by the Petitioner and covered under seven bills of entry, the details of which are given below:

| Sr. No. | BE No.  | BE Dated   |
|---------|---------|------------|
| 1.      | 8271175 | 12.10.2023 |
| 2.      | 8556229 | 31.10.2023 |
| 3.      | 8650100 | 06.11.2023 |
| 4.      | 8699359 | 09.11.2023 |
| 5.      | 9329253 | 20.12.2023 |
| 6.      | 9381399 | 23.12.2023 |
| 7.      | 9580512 | 08.01.2024 |

2. The learned Advocate appearing on behalf of the Petitioner submitted that as far as the bills of entry at Serial Nos.1, 2, 5, 6 and 7 are concerned there is no real dispute between the customs department and the Petitioner.

3. Mr. Mishra, the learned Counsel appearing on behalf of the customs department fairly submitted that the bills of entry at Serial Nos.1, 2, 5, 6 and 7 are covered by a judgment of a Division Bench of this Court passed in the case of *Neela Uppal vs. The Union of India & Ors* (Writ Petition No.1078 of 2024 decided on 4<sup>th</sup> March, 2024). Since this is the fair stand taken by the customs department, we direct that the goods which form the subject matter of the bills of entry at Serial Nos.1, 2, 5, 6 and 7 shall be provisionally released within one week of the Petitioner submitting a Provisional Duty bond without any security to the customs department.

4. We now place the above Writ Petition on board on 18<sup>th</sup> June, 2024. On that date the balance two bills of entry will be considered.

5. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by

fax or email of a digitally signed copy of this order.

[ SOMASEKHAR SUNDARESAN, J.]

[ B. P. COLABAWALLA, J.]