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

**INTERIM APPLICATION NO. 4167 OF 2024
IN
CRIMINAL REVISION APPLICATION NO. 367 OF 2023**

Hitesh Natwarlal Baxi .. Applicant
Versus
V.S. Bhosale,
Assistant Collector of Customs (P) and Ors. .. Respondents

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- Mr. Samir Arjunkumar Vaidya a/w. Ms. Bhakti Rewale and Ms. Vanita Shinde, Advocates for Applicant.
 - Ms. Dhanalakshmi Krishnaiyer, APP for Respondent – State.
 - Mr. Atul Surpande, Advocate for the Customs Department.

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CORAM : MILIND N. JADHAV, J.
DATE : NOVEMBER 25, 2024.

P.C.:

- 1.** Heard Mr. Vaidya, learned Advocate for Applicant and Ms. Krishnaiyer, learned APP for Respondent No.2 – State.
- 2.** Once again, Respondent No.1 is unrepresented before me. However, Mr. Surpande, learned Counsel empanelled for the Customs Department is incidentally before me. Rather he argued a case before me today which has been decided by me.
- 3.** In the present case, representative of Respondent No.1 i.e. Assistant Collector of Customs (P) is not present. I have persuaded Mr. Surpande and the Customs Officer Mr. Dabholkar to take immediate cognizance of this case.

4. Mr. Vaidya shall provide a set of papers of the present Interim Application to both of them today itself.
5. Mr. Surpande, learned Advocate is requested by this Court to bring it to the notice of the concerned appropriate Authority appearing for the Assistant Collector of Customs (P) who is Respondent No.1 in the present case.
6. I make it clear that if tomorrow no one is present on behalf of Respondent No.1 and if it is seen that Respondent No.1 has been adequately served by the Applicant on the basis of the Affidavit of service, this Court shall be constrained to hear the present Interim Application and decide the same in accordance with law.
7. Applicant is directed to file his Affidavit of service today itself.
8. Place the Interim Application on Board on **26th November 2024** to enable Respondent No.1 – Assistant Collector of Customs (P) to appear and inform the Court about appearing in the matter.
9. Copy of this order shall be served on Respondent No.1 – Assistant Collector of Customs (P) by the Advocate for Applicant.

[MILIND N. JADHAV, J.]

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