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Arb.Appln.No.177 of 2024

Arb.Appln.No.177 of 2024

in

Arb.Appln.No.412 of 2023

C.SARAVANAN, J.

Earlier, this Court had ordered the Arbitration Application No.412 of 2023 on 31.10.2023. Paragraph Nos.4 and 5 of the said order reads as under:-

“4. Considering the above, Court is inclined to direct the officers namely Mr.Dipam Kar, Custom Superintendent, Mr.Jay Shah, Assistant Commissioner, SIIB Export and Mr.Bheemsean Joshi Officer – Deputy Commissioner, to release the goods hypothecated to the applicant which was being illegally attempted to be exported by the respondent and is lying at the premises of M/s.SPEEDY MULTIMODES LIMITED.

5. The officers shall hand over the subject equipment to Mr.Achal Pathak, Regional Legal Manager.”

2. Pursuant to aforesaid order dated 31.10.2023, the office of the Deputy Commissioner of Customs, SIIB(X), JNCH, Nhava Sheva has also stated that an order approval/no objection has been given for release of the goods covered under Shipping Bill No.1960627 to the applicant. However, till date, the applicant has been unable to take custody of the subject goods that was proposed to illegally exported by the first respondent under Shipping Bill dated 23.06.2023.



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3. Considering the same, there shall be a direction to the Chief Commissioner of Customs, Zone-II, Jawaharlal Nehru Custom House, Nhava Sheva to take steps to hand over the physical possession of the hypothecated Construction Equipment described in the schedule to the Judges Summons to Mr.Jayesh Ramchandra Munj, Branch Legal Manager, of the applicant within a period of two weeks from the date of receipt of a copy of this order.

4. This Arbitration Application stands disposed of.

28.03.2024

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C.SARAVANAN, J.



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