

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

WRIT PETITION NO. 14427 OF 2024

Poseidon Shipping Agency Private Limited ...Petitioner
Versus
Chief Commissioner of Customs General ...Respondent

Mr. Akshay Kolse Patil, Mr. Abhimanyu Singh i/b. Ms. Priyanka Patel Kamat for Petitioners.

Mr. Vijay Kantharia, a/w Harshad Shingnapurkar Sootrik Kar for Respondent Nos.1, 2, 3, 4, 5.

**CORAM : M.S. Sonak &
Advait M. Sethna, JJ.**

DATED : 24 September 2025

P.C.:-

1. Mr. Patil, the learned counsel for the Petitioner states that in terms of the affidavit today filed by 4th Respondent, the process of clearing 30 containers belonging to the Petitioner's principal has already commenced. However, the affidavit does not indicate the timeline within which this process would be completed and the containers returned to the Petitioner.

2. Mr Kantharia submits that the contents must be delivered to the State Level Co-ordinator - Oil Industry, Maharashtra and therefore, the Respondent he represents are unable to make a clear statement about the timeline within

which the contents of these 30 containers would be cleared.

3. Accordingly, we direct the impleadment of the State Level Co-ordinator and Oil Industry, Maharashtra as the 8th Respondent. Amendment to be carried out forthwith. Re-verification is dispensed with. Issue notice to the newly impleaded Respondent returnable on **7 October 2025**.

4. The State Level Co-ordinator – Oil Industry is directed to file an affidavit indicating the timeline within which the deliveries could be made by the 4th Respondent so that the contents of the 30 containers are cleared.

5. We are making the above order because, at least prima facie, we believe that the Respondents are not justified in taking their own time to clear the contents of the containers and thereby delay the return of the containers to the Petitioner or their Principals. Additionally, we are not entirely satisfied with the affidavit filed on behalf of the 4th Respondent regarding the inability to provide a timeline for clearing the contents of the containers.

6. Therefore, we once again direct the Commissioner of Customs, i.e., an officer superior in rank to the Deputy Commissioner of Customs to file an affidavit in this matter, if necessary, in consultation with the State Level Co-ordinator – Oil Industry, Maharashtra to indicate the timeline within which the contents of the 30 containers would be cleared and the containers be returned to the Petitioner or their principals.

7. The above affidavits must be filed and served by 3 October 2025 without seeking any extension of time. The Petitioners must take immediate steps to serve the newly impleaded Respondent and file affidavit of service.
8. List the matter on **7 October 2025** for “**Directions**”.

(Advait M. Sethna, J)

(M.S. Sonak, J.)