

Chaitanya

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

WRIT PETITION NO. 4209 OF 2025

INS Consultancy, Through Its Prop.
Indu Shekhar

... Petitioner

Versus

Union Of India And Ors

... Respondents

Mr Prakash Shah, Senior Advocate (Through Video-Conferencing) a/w Mr Brijesh Pathak, for Petitioner.

Mr Karan Adik, for Respondent No.4.

**CORAM : M.S. Sonak &
Jitendra Jain, JJ.**

DATED : 07 JULY 2025

PC:-

1. Heard learned counsel for the parties.
2. The Petitioner seeks a writ of mandamus to direct the Respondents to follow a particular procedure with regard to sampling and also for a Waiver Certificate in relation to Shipping and Yard Charges.
3. Admittedly, there is no live issue pending, in the sense that there is no consignment that is being processed by the Respondent, allegedly in variance with the procedure prescribed by law. Even the issue of waiver of charges is

mostly academic though, Mr Shah submitted that this Petition was filed prompted by past experiences.

4. We believe that the issues raised in this Petition are mostly academic and therefore, we do not propose to entertain this Petition. However, if in future, the grievance actually arises and is subsisting, the disposal of this Petition will not come in the way of the Petitioner challenging the procedure allegedly being adopted by the Respondents or seeking any waiver if the law and circumstances so provide and warrant. Therefore, with the above liberty, we dispose of this Petition.

5. We clarify that all issues in this regard are kept open to be determined in an appropriate case.

6. This Petition is disposed of with liberty in the above terms. No costs.

(Jitendra Jain, J)

(M.S. Sonak, J)