

Chaitanya

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

WRIT PETITION NO. 11118 OF 2025

Ajay Industrial Corporation Ltd. ... Petitioner

Versus

Assistant Commissioner of Customs
And Anr. ... Respondents

Mr. Rajiv Jaipal i/b Mr. Sunil, for Petitioner.

Mr. J. B. Mishra a/w Mr. Abhishek R. Mishra, for Respondent
No.1.

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

DATED : 29 September 2025

PC:-

1. Heard learned counsel for the parties.
2. Mr. Mishra states that the 1st Respondent will obtain instructions regards the issue of refund of the customs duty paid because it is the Petitioner's case that though Bill of Entry was filed on 27 April 2022 after paying customs duty of Rs. 35,37,358/-, the goods were never received by the Petitioner. He refers to communication dated 25 April 2023 issued by the 2nd Respondent to the 1st Respondent in this regard.
3. Accordingly, we issue notice to the 2nd Respondent and also request Mr. Mishra to obtain instructions from the 1st

Respondent on the issue of refund of customs duty by the next date.

4. Issue notice to the 2nd Respondent, returnable on 14 October 2025. In addition to the usual mode of service, private service/hamdast is allowed. The 2nd Respondent to also make a statement regarding the status of Petitioner's goods either by filing an affidavit or otherwise on the next date.

5. Stand over to 14 October 2025 for direction/disposal.

(Advait M. Sethna, J)

(M.S. Sonak, J)