

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

***INTERIM APPLICATION NO.11433 OF 2025
IN
WRIT PETITION NO.1693 OF 2025***

Humiseal India Private Limited and Anr. ...Applicants

IN THE MATTER OF:

Humiseal India Private Limited and Anr. ...Petitioners

Versus

Commissioner of Customs, NS-II

Centralized Export Assessment Cell and Ors. ...Respondents

Mr. Sahil Kanuga a/w Ms. Sara Sundaram and Mr. Nikhil Kansal i/b
Cyril Amarchand Mangaldas for the Applicants/Petitioners.

Mr. Subir Kumar a/w Mr. Niyanta Trivedi for the Respondent Nos.1
and 2.

Mr. Subir Kumar a/w Ms. Megha Bajoria for the Respondent No.3.

Mr. Jitendra B. Mishra a/w Ms. Sangeeta Yadav and Mr. Rupesh
Dubey for the Respondent Nos.4 and 5.

***CORAM : REVATI MOHITE DERE &
SANDESH D. PATIL, JJ.***

DATE : 8th SEPTEMBER 2025

P.C. :

1. By this interim application, the applicants seek permission
to apply for NOC from the respondent No.3 for export of aerosol
cans containing MEK purely on a “without prejudice” basis i.e.

without prejudice to the contentions raised in the Writ Petition. Pending the hearing and final disposal of the petition, the applicants seek a direction to the respondent No.3 to process the said petitioners/applicants applications' seeking NOC "Without Prejudice" on consignment to consignment basis.

2. Learned counsel for the respondent No.3 submits that the applicants were not required to make the aforesaid application. He further submits that whenever the applicants make an application seeking an NOC from the respondent No.3, the respondent No.3 will process the said application on consignment to consignment basis, on its own merits. Statement accepted.

3. Considering the statement made by the learned counsel for the respondent No.3, the application made by the applicants seeking NOC from the respondent No.3, without prejudice to the rights and contentions raised by the petitioners in the Writ Petition, nothing survives for further consideration in this application. The Interim

Application stands disposed of accordingly.

4. Writ Petition to be listed on **29th September 2025**. At this stage, learned counsel for the petitioners seeks leave to amend the aforesaid Writ Petition. He also seeks leave to file compilation of documents. Leave granted. The said amendments be carried out within two weeks from today and amended copy be served on the other side.

5. We make it clear, that the contentions raised by the petitioners in the writ petition will be considered, when the writ petition is heard and decided finally.

SANDESH D. PATIL, J.

REVATI MOHITE DERE, J.