

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 13315 OF 2025

M/S. M. Y Impex Thru Proprietor	... Petitioner
Versus	
Union Of India Thru. Its Secretary	
Ministry of Law and Justice And Ors	... Respondents

Mr. Sujay Kantawala, Mr. Prasannan Namboodiri, Ms. Aishwarya Kantawala a/w Jeffrey Caleb, Mr. Ayush Jha for the Petitioner.

Mr. Jitendra B. Mishra a/w Ms. Sangeeta Yadav, Mr. Rupesh Dubey, Mr. Ashutosh Mishra for Respondent Nos. 2 to 4 in both matters.

Mr. Satyaprakash Sharma a/w Mr. Abhishek Mishra, Ms. Vaishali Malekar for Respondent No.6.

**CORAM: G. S. KULKARNI &
AARTI SATHE, JJ.**

DATE: 26 FEBRUARY 2026

P.C.

1. This Petition under Article 226 of the Constitution of India is filed praying for the following reliefs.

a. That this Hon'ble Court be pleased to hold and declare that the impugned actions carried out by the Respondents are in complete and gross abuse of the powers conferred under the Act and serious action needs to be taken against the concerned officers for having caused harassment and loss to the Petitioner without any basis whatsoever. This Hon'ble Court - be pleased to award appropriate compensatory costs /compensation in the facts and circumstances of the case. The to hold and declare that the belatedly issued Seizure Memo, Exhibit "L" dated 06.10.2025 is in complete abuse of the powers conferred under the Customs Act, 1962.

b. That this Hon'ble Court may be pleased to issue a Writ of Mandamus or Writ in the nature of Mandamus or any other appropriate Writ, Order or Direction directing Respondents, their servants, subordinates, and agents:

- i. To forthwith lift the detention/hold/seizure of the goods being "Dry Dates" covered under Bill of Entry No. 3907112 and Bill of Entry No. 3907110 dated 15.08.2025 (Exhibit "A" Colly).
- ii. To issue a Detention and Demurrage Waiver Certificate in respect of the 10 containers covered under the above referred Bills of Entry at Exhibit A Colly.

c. That this Hon'ble Court be pleased to issue a Writ of Certiorari or Writ in the nature of Certiorari or any other appropriate Writ, Order or Direction calling for the records and proceedings dealing with the detained 10 Containers covered vide Bill of Entry No. 3907112 and Bill of Entry No. 3907110 dated 15.08.2025 (Exhibit "A" Colly) and after going into the legality, propriety, and validity thereof, to quash and set aside the illegal detention/seizure of the goods.

d. Pending the hearing and final disposal of the present Petition:

- i. To forthwith lift the detention / seizure of the goods covered under Bill of Entry No. 3907112 and Bill of Entry No. 3907110 dated 15.08.2025 (Exhibit "A" Colly).
- ii. To issue a Detention and Demurrage Waiver Certificate in respect of the 10 Containers covered vide Bill of Entry No. 3907112 and Bill of Entry No. 3907110 dated 15.08.2025 (Exhibit "A" Colly);

e. For interim and ad-interim relief in terms of prayer (d) above;

f. For costs;

g. For such further and other reliefs in the nature and circumstances of the case may require.

2. Reply affidavit to the Petition has been placed on record. We proceeded with the hearing of the Petition, however, Mr. Kantawala, learned counsel for the Petitioner, on instructions, fairly seeks leave to withdraw this Petition.

3. Writ Petition is allowed to be withdrawn.

4. At this stage Mr. Kantawala would submit that the goods have been seized, he requests that all rights and contentions of the Petitioner in regard to making any application for sale or realization of the value of the goods be kept open. We accept the request, if so permissible in law.

5. Disposed of as withdrawn. No costs.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)