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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1368 OF 2012
IN
CUSTOMS APPEAL NO.33 OF 2011

Suketu J. ModyAppellant
V/s.	
The Union India & Anr.	...Respondents

WITH
NOTICE OF MOTION NO.1443 OF 2012
IN
CUSTOMS APPEAL NO.13 OF 2011

Ahsan Ahmed AnsariAppellant
V/s.	
The Union India & Anr.	...Respondents

Mr.Deval K. Anja i/b Mr.Uday Prakash Warunjikar for the Appellant
(in Notice of Motion No.1368 of 2012 in Custom Appeal No.33 of 2011.)

Mr.Parag B. Shelke for the Appellant in (in Notice of Motion No.1443 of 2012 in Custom Appeal No.13 of 2011.)

Mr.Pradeep S. Jetly for the Respondents in both the appeals.

CORAM : S.J. VAZIFDAR AND
M.S. SANKLECHA, JJ.
DATE : 29TH JUNE, 2012.

P.C. :-

1. Pursuant to the order of the Division Bench dated

23.4.2012, the appellants deposited the amount, through inadvertence in this Court instead depositing the same with the Commissioner of Customs. The Division Bench had directed the appellants to deposit the same within four weeks. The deposit was made within four weeks.

2. In the circumstances, the above notices of motion are disposed of by the following order :-

i). The appellants shall be entitled to withdraw the amounts deposited by them together with accretions thereto, if any. This is in view of the undertaking of the appellants to deposit the said amount with the Commissioner of Customs within one week of the receipt thereof from this Court. The undertaking is accepted and it is also so ordered.

ii). In the event of the amount being deposited with the Commissioner of Customs as aforesaid, the same shall be treated as due compliance of the order dated 23.4.2012.

(M.S. SANKLECHA, J.)

(S.J. VAZIFDAR, J.)