

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

**WRIT PETITION NO.3426 OF 2021**

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Asian Metal Depot

..... Petitioner

Vs.

Pr.Commissioner of CGST & C.Ex.

Mumbai South Commissionerate & Ors. .... Respondents

Ms.Rutuja N. Pawar a/w Ms.Hetal Laghave for the Petitioner

Mr.Swapnil Bangur a/w Mr.Siddharth S. Chandrashekhar  
for the Respondents

**CORAM: S.V.GANGAPURWALA &  
VINAY JOSHI , JJ.**

**DATED : MARCH 31, 2022**

**P.C.**

. We have heard the learned counsel for the petitioner  
and the Respondents.

2. The petitioner has already given application /  
objection to the provisional attachment. Demand notice is  
also issued against the petitioner.

3. The Respondents shall decide the application /  
objection of the petitioner to the provisional attachment on  
its own merits in accordance with law preferably within 15  
days. Till the objection is decided and intimation of the  
order is issued to the petitioner, the recovery may not be

made pursuant to the impugned demand notice.

4. All contention of parties are kept open.
5. Liberty to the parties to proceed ahead and file fresh proceedings depending upon the decision taken upon the objection of the petitioner.
6. Writ Petition disposed of. No costs.

(VINAY JOSHI, J.)

(S.V.GANGAPURWALA, J.)