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

WRIT PETITION NO. 1353 OF 2010

Bharat Bhogilal Patel

.. Petitioner

**Versus**

The Commissioner of Customs (Exports & Imports)

and others

.. Respondents

Mr. D. P. Merchant, Senior Counsel i/by H.N. Associations for the  
petitioner

Mr. Pradeep S. Jetly for the Respondents

Mr. H.W. Kane for the Importer

CORAM: V. C. DAGA, &

S. J. KATHAWALLA, JJ.

DATED: 3<sup>rd</sup> August, 2010

**P. C.:**

1. Heard Mr. Merchant learned senior counsel appearing for the  
petitioner and Mr. Jetly, learned counsel for the respondents.

2. During the course of hearing, Mr. Jetly makes a statement that  
the petitioner would be given hearing as requested by him in the  
petition. He further states that if any known importers appear at the  
time of hearing, they would also be heard. Mr. Jetly further states that  
Notice will also be given to the known importers along with the  
petitioner for hearing. In this view of the matter the learned counsel  
appearing for the petitioner seeks permission to withdraw this petition.

All rival contentions are kept open.

3. Petition is dismissed as withdrawn with order as to costs.

( S. J. KATHAWALLA, J.)

(V. C. DAGA, J.)