

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

WRIT PETITION (L) NO.37813 OF 2025

Shreyans Kothari

Petitioner

versus

The Chief Commissioner of Customs and others

Respondents

WITH

WRIT PETITION (L) NO.34552 OF 2025

Mukti Gold Pvt.Ltd.

Petitioner

versus

The Chief Commissioner of Customs and others

Respondents

Mr.Dharan Gandhi and Ms.Prerana Pandya for Petitioners.

Mr.J.B.Mishra with MrSaket R.Ketkar, Mr.Ashutosh Mishra and Rupesh Dubey for
Respondent no.1.

Mr.Karan Adik with Ms.Sangeeta Yadav for Respondent nos.2 and 3.

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

DATE: 20th January 2026

P.C.

1. On 6th January 2026 we heard learned counsel for the parties when we had passed an interim order directing to safeguard the gold in question and not to deal with it in any manner. Today the Court is informed by learned advocate for Respondent nos.2 and 3 that officer subordinate to Respondent no.1 has disposed off the gold in question in 2021. As stated by learned counsel for the Petitioner, at no earlier point of time it was informed to the Petitioner that the gold was disposed off. His contention is that the impugned actions of the Respondents are brazenly

illegal. He has placed reliance on the decision of this Court in **Leyla Mohmoodi through constituted Attorney Sandip D. Kadam and another Vs. The Additional Commissioner of Customs¹** in support of his contention.

2. As to in what manner and as to how and why the gold came to be disposed off and more particularly when the proceedings were pending, is required to be explained by Respondent no.1. We accordingly direct that an affidavit be placed on record explaining all such details. Let the reply affidavit be filed on or before 31st January 2026. The copy of reply affidavit be served on the advocate for Petitioner on or before 31st January 2026.

3. Place the proceedings on **4th February 2026. High on board.**

4. Mr.Adik in compliance of the earlier order dated 6th January 2026 has placed on record appeal memo. We shall peruse the same on the adjourned date.

5. The Registry to verify whether the court fee is paid by all the Petitioners separately, and accordingly compliance thereof be made before the adjourned date.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)

¹Writ Petition No.467 of 2023, decided on 21-12-2023