

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 5137/2026

M/s Maxop Engineering Company Pvt. Ltd.

-----Petitioner

Versus

Bureau Of Indian Standards

-----Respondent

For Petitioner(s)	:	Mr. Harshit Gupta with Mr. Priyansha Gupta for Mr. Manish Gupta
For Respondent(s)	:	Mr. Bharat Vyas, ASG via VC with Mr. Rakesh Choudhary Mr. Vinod Kumar Tamoliya with Mr. Sathak Paloria, Mr. Nitesh Pancholi

HON'BLE MR. JUSTICE SAMEER JAIN

Order

05/05/2026

Learned counsel for the petitioner has submitted that seizure carried out by the respondents under Section 28 of Bureau of Indian Standards Act (for short 'the Act'), 2016, dated 26.06.2025, on the ground that, the articles were without any ISI mark, is per se illegal. Counsel has relied upon order dated 13.11.2025, passed by Ministry of Mines, Government of India wherein it is noted that aluminum and aluminum alloys will be exempted from marking/tagging of Bureau of Indian Standards for the said products.

It is submitted that the said practice was being adopted by the petitioner for a period of about one and a half years, and only on 26.06.2025, the respondents have carried out the seizure. It is further submitted that the petitioner-M/S has two plants, and one

of the plants was specifically dedicated to export and there was no requirement as such, for marking/tagging of the goods.

It is submitted that the petitioner has filed various representations immediately upon the illegal seizure, but the same was never answered and that samples were drawn and a complaint was filed; however, there will be no good reason as the goods are seized, the same is merely blocking their capital to the tune of Rs. One Crore, and that the same might perish soon, nonetheless, the same is lying unproductive, and is not being used for either sides. It is apprised to the Court that as per Section 34 of the Act, there is no remedy like provisional release of goods or appeal to be preferred against the seizure.

Heard.

Considering the facts of the case, this Court directs that appropriate arrangements qua provisional release of articles be made; the market value of the goods may be calculated from the concerned invoices or as per applicable parameters; Fifty per cent of the calculated amount be taken as security bond from the petitioner and for the remaining amount, surety bonds be taken. The needful be done, requisites be carried out and the articles be released within a period of seven days.

Matter to be listed after three weeks.

In the meantime, reply be filed.

(SAMEER JAIN),J