



material available on record and verbal arguments on that date. No further time will be afforded to Respondent No. 7 for the same purpose. This will be treated as last opportunity.

- 4) Ld. Counsel for the Applicant submits that the present Interlocutory Application against other Respondents (i.e. R2 to R6) are already proceeded *ex parte*. These submissions of the Counsel for Applicant found substantiated after referring to an Order of this Bench dt. 07.02.2024, on which date it was recorded as under:

**IA 1423/2019**

2. Ld. Counsel for Respondent No.1 informs that the Respondent No.1 resides abroad and seeks final opportunity of one week for filing reply. The Respondent 7 has already filed the reply, the same is on record. Remaining respondents are set *ex-parte*.
3. List this matter on 28.02.2024.
- 5) Above said submissions are noted. Parties shall complete and exchange the pleadings well before the adjourned date and shall be ready for arguments on the next date of hearing.
- 6) Stand over to 25.04.2024, for further consideration and hearing.

**IA 463/2021 in C.P. (IB)/1339(MB)2017**

- 1) Mr. Chintan Gandhi, Ld. Counsel for the Applicant is present. None present for Respondents, when the matter is called out.
- 2) Ld. Counsel for the Applicant informs that as per the directions of this Bench dt. 21.02.2024, they have impleaded the Custom Department as the party to

whom the proceeds of guarantee are stated to have been paid by the Respondent Bank of Baroda.

- 3) Applicant further submits that a copy of the present Application has also been served upon the Custom Department. In that view of the matter, Custom Department is hereby directed to file and place on record Affidavit in Reply well before the adjourned date thereby duly serving a copy thereof to the other side well in advance, failing which, this Bench shall proceed further in the matter based upon the materials available on record and verbal arguments on that date.
- 4) Applicant herein is hereby directed to serve a copy of this Order upon the Assistant Commissioner of Customs having address at Assistant Commissioner of Customs, Office of the Commissioner of Customs (Export) EPCG (Monitoring Cell). New Custom House, Ballard Estate, Mumbai- 400 001, for their Compliance.
- 5) Stand over to 25.04.2024, for further consideration and hearing.

Sd/-

**PRABHAT KUMAR  
MEMBER (TECHNICAL)**

Sd/-

**JUSTICE VIRENDRASINGH BISHT  
MEMBER (JUDICIAL)**

Vedant Kedare