

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 12448/2009 & C.M.No.12915/2009

VINOD TOMAR Petitioner
Through Mr. Rupesh Kumar, Adv.

versus
UIO & OTHERS Respondent
Through Mr. Mukesh Anand, Adv. and Mr.
Shailesh Tiwari, Adv.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

ORDER

% **28.10.2009**

Counsel for the respondent on oral instructions states that the writ petition may be disposed of on the basis of the direction issued by this Court in **International Cargo Services Vs. Union of India**, 2006 (193) E.L.T. 546 (Del.).

2. In the present case, the petitioners' license to operate as Customs House Agent has been suspended under Section 20(2) of the Customs House Agents' Licenses Regulation, 2004. The power to suspend the license without show cause notice in emergent situation has been upheld in the aforesaid judgment. However, it has been held in the said judgment that post decisional hearing should be granted. In these circumstances, the petitioner is entitled to post decisional hearing by the respondent authorities.

3. The writ petition is accordingly disposed of directing the respondent authority to give post decisional hearing to the petitioner within a period of 15 days. Speaking order dealing with the contentions of the petitioner will be passed within two weeks after the hearing is concluded. In case the petitioner is still aggrieved, it will be open to the petitioner to avail such remedy as is permissible.

The application and the writ petition are disposed of.

Dasti to counsel for the parties.

SANJIV KHANNA, J.

OCTOBER 28, 2009
NA