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

+ **W.P.(C) 4334/2014**

UNIVERSAL AUTO INDUSTRIES THROUGH ITS PARTNER Petitioner

Through : Ms Shikha Sapra

versus

COMMISSIONER OF CUSTOMS & CENTRAL EXCISE & ORS Respondents

Through : Mr Satish Kumar for R-1 & 2.

CORAM:

HON'BLE MR. JUSTICE BADAR DURREZ AHMED

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% 10.04.2015

The learned counsel for the petitioner states that the embargo, which has been placed by the Central Excise Department, has now been lifted. She has handed over a copy of a letter dated 26.02.2015 issued by the Deputy Commissioner, Central Excise, Division-III, New Delhi with regard to the property in question, i.e., A-2, Naraina Industrial Area, Phase-II, New Delhi-110028. The said letter is taken on record and the same reads as under:-

“OFFICE OF THE ASSISTANT COMMISSIONER, CENTRAL EXCISE, DIVISION-III,
609, DEEPSHIKHA BUILDING, RAJENDRA PLACE, NEW DELHI-110 008

C.NO.CE- 20/SCN/R-16/37/2008

Dated: 26-02-2015

To

The Deputy Commissioner Office,
West District, Old Middle School Building,
Lawrance Road, Rampura, Delhi-110085 &
South West District Kapashera, New Delhi.

Subject: **Non-transfer of property located at A-2, Naraina Industrial Area, Phase-II, New Delhi – 110028 – ISSUANCE OF NO OBJECTION CERTIFICATE – reg.**

Sir,

Please refer to this office letter of even no. 1300-1307 dated 11.01.2012 on the abovementioned subject.

2. In this regard, it is informed you that this office letter dated 11-01-2012 by which it is requested that the property of M/s Universal Auto Industries located at A-2. Naraina Industrial Area, Phase-II, New Delhi - 110028 may not be allowed to be transferred until No Objection Certificate is obtained from the Assistant Commissioner, Central Excise, Division –III, Rajendra Place, New Delhi, is withdrawn with immediate effect as there is no recoverable arrear pending against the party as on date and now this office has no objection for transfer of the above-said property. This is for information and further necessary action at your end please.

Yours faithfully
Sd/-
Deputy Commissioner
Central Excise, Division-III

Copy to:

1. The Sub-Registrar-IX, Old Terminal Tax Building, Kapashera, New Delhi-37 for information and further necessary action at your end please.
2. M/s Universal Auto Industries through its partner Shri Suresh Kumar Kukreja, A-2, Naraina, Industrial Area, Phase-II, New Delhi – 110028 for information please.

Sd/-
Deputy Commissioner
Central Excise, Division-III”

In view of the above letter, it is clear that the Central Excise Department has no objection to the transfer of the above mentioned property. Consequently, we direct the respondent No. 3 to expedite the registration of the document of sale subject to compliance with the other formalities.

The writ petition stands disposed of.

Dasti under the signature of the Court Master.

BADAR DURREZ AHMED, J

APRIL 10, 2015
SR

SANJEEV SACHDEVA, J