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

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W.P.(C) 863/2014

**SENNHEISER ELECTRONICS INDIA PVT
LTD**

..... Petitioner

Through: Mr V. Lakshmikumaran, Mr M. P. Devnath,
Mr Abhishek Anand, Mr Yogendra Aldak and Mr
Abhinav, Advocates.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr Satish Kumar, Senior Standing counsel
for the Respondent Customs.

Mr Akshay Makhija, CGSC with Ms Sanjugeeta
Moktan, Advocate for Respondent/UOI.

Mr S. K. Dubey, Mr Udit Malik and Mr Aman Singh,
Advocates for DRI.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE VIBHU BAKHRU

ORDER

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16.05.2016

CM No.18651/2016

1. Allowed, subject to all just exceptions.

CM No.18650/2016

2. The Court does not feel that any further clarification is required of the
judgment dated 3rd May 2016.

3. The application is dismissed.

CM No. _____/2016 (to be numbered)

4. The application is taken on Board. It is pointed out that the dates in paras
107 and 108 of the judgement dated 3rd May 2016 require correction. The

corrected paras 107 of the judgment dated 3rd May 2016 shall read as under:

“107. The SCN under challenge in Writ Petition (C) No.863/2014 by Sennheiser Electronics India Pvt. Ltd. is dated 24th December, 2013 and was issued by the ADG, DRI in relation to alleged short levy of customs duty for the period 28th January, 2009 to 24th June, 2013.

108. For the reasons already mentioned, the impugned SCN and all the proceedings consequent thereto for the period from 28th January 2009 up to 8th April 2011 cannot be sustained in law and are hereby quashed. The adjudication proceedings as regards further period beyond 8th April 2011 will proceed in accordance with law.”

5. The application is disposed of. The corrected order be uploaded on the website.

S.MURALIDHAR, J

VIBHU BAKHRU, J

MAY 16, 2016
MK