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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 1774/2016

JYOT IMPEX

..... Petitioner

Through: Mr. Priyadarshi Manish with Mrs. Anjali
J. Manish, Advocates.

versus

THE COMMISSIONER OF CUSTOMS & ANR Respondents

Through: Mr. Kamal Nijhawan, Senior standing
counsel.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE VIBHU BAKHRU

ORDER

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29.02.2016

W.P. (C) No. 1774/2016

1. Notice. Mr. Kamal Nijhawan, learned Senior standing counsel accepts notice on behalf of the Respondents.

2. It is seen that in the Petitioner's own case in W.P. (C) 6773 of 2012, an order was passed by this Court, in similar circumstances, requiring the Commissioner of Customs to pass an appropriate order regarding the clearance of the consignment of used tyres imported by the Petitioner. This was followed in an order dated 29th January 2013 in another similar Writ Petition (C) No. 460 of 2013 filed by the Petitioner pertaining to the import

of used tyres which had been detained by the customs authorities awaiting clearance certificate from the Ministry of Environment and Forests.

3. In that view of the matter, the concerned Commissioner of Customs is directed to pass an appropriate order having regard to all the circumstances, particularly the letters and communications placed on record, within a period of four weeks from today after giving hearing to the Petitioner. The order shall be made as to the duty liability and as also as to the rules of consignment without awaiting any clarification or fresh policy from the Central Board of Excise and Customs.

4. The writ petition is disposed of in the above terms. Order be given *dasti*.

S.MURALIDHAR, J

VIBHU BAKHRU, J

FEBRUARY 29, 2016/Rk