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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 5040/2016

P.G ELECTROPLAST LIMITED

..... Petitioner

Through: Dr Prabhat Kumar and Mr Rahul Raheja,
Advocates.

versus

**DIRECTORATE OF GENERAL OF REVENUE
INTELLIGENCE & ANR.**

..... Respondents

Through: Mr Satish Aggarwala, Advocate for
Respondent No.1.

Mr Kamal Nijhawan, Senior Standing counsel
with Mr R. Ashok, Advocate for Respondent No.2.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE VIBHU BAKHRU

ORDER

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27.05.2016

CM No.21055/2016

1. Allowed, subject to all just exceptions.

W.P.(C) 5040/2016 & CM No.21054/2016

2. Notice. Learned counsel for the Respondents accepts notice.

3. The only prayer in this petition is that in view of the decision of this Court dated 3rd May 2016 in W.P.(C) No.441 of 2013 (*Mangali Impex Ltd. v. Union of India*), the impugned show cause notice ('SCN') dated 29th May, 2015 issued by the Directorate of Revenue Intelligence ('DRI') (Respondent No.1) and the consequent proceedings pending before the Commissioner of

Customs at Dadri (Respondent No.2) should be quashed.

4. Since the adjudication is pending before the Respondent No.2, the Court does not consider it appropriate to pass any order at this stage in the present writ petition except to the extent of permitting the Petitioner to bring to the notice of the Respondent No.2 the judgment of this Court in ***Mangali Impex Ltd. v. Union of India*** (*supra*). It will be for the Respondent No.2 to take a call on whether the said decision is applicable in the facts and circumstances of the case and pass an appropriate order in that regard not later than four weeks from today.

5. The petition and the application are disposed of with the above observations.

6. A copy of this order be given *dasti* under the signature of Court Master.

S.MURALIDHAR, J

VIBHU BAKHRU, J

MAY 27, 2016/MK