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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 5248/2016

SIYARAM IMPEX

..... Petitioner

Through: Ms. Anjali Manish, Advocate.

versus

THE ADDITIONAL DIRECTOR GENERAL,
DIRECTORATE OF REVENUE INTELLIGENCE
& ANR.

..... Respondents

Through: Ms. Pooja Bhaskar, Advocate for
Mr. Satish Aggarwala, Advocate for R-1/DRI.
Ms. Sonia Sharma, Senior standing counsel with
Ms. Neha Chugh, Advocate for R-2.

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE VIBHU BAKHRU

ORDER
30.05.2016

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1. The challenge in this petition is to a show cause notice ('SCN') dated 21st November 2013 passed by the Additional Director General, Directorate of Revenue Intelligence ('DRI') who, according to the Petitioner, is not a 'proper officer, within the meaning of Section 2 (34) of the Customs Act, 1962 ('Act') and therefore, has no jurisdiction to issue the SCN or adjudicate it. Reliance is placed on the recent judgment dated 3rd May 2016 passed by this Court in W.P. (C) No. 441 of 2013 (*Mangali Impex Limited v. Union of India*).

2. It will be open to the Petitioner to bring to the notice of the Additional Director General, DRI the judgment in *Mangali Impex Limited v. Union of India* (*supra*). The Additional Director General will pass an order on the said issue not later than four weeks thereafter.

3. The petition is disposed of with the above observations. Order be given *dasti*.

S.MURALIDHAR, J

VIBHU BAKHRU, J

MAY 30, 2016

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