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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 5367/2016

K.Y. ENTERPRISES

..... Petitioner

Through Mr C. Harishankar, Senior Advocate
with Mr Prem Ranjan Kumar and Mr Abhishek
Jaju, Advocates.

versus

**THE PRINCIPAL COMMISSIONER OF
CUSTOMS**

..... Respondent

Through Mr Satish Kumar, Senior Standing
Counsel.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE VIBHU BAKHRU

ORDER

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01.06.2016

CM 22382/2016 (Exemption)

1. Allowed, subject to all just exceptions.

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2. It is not in dispute that against the impugned order dated 12th May 2016 the remedy of a statutory appeal is available before the CESTAT. In that view of the matter, the Court is not inclined to entertain this writ petition.

3. It will be open to the Petitioner to draw the attention of the CESTAT to the judgment dated 3rd May 2016 passed by this Court in W.P (C) 441/2013 (*Mangali Impex Ltd. v. Union of India*). It will be for the CESTAT to

consider the said decision and decide the appeal in accordance with law.

4. The appeal is dismissed with the above observations.

S.MURALIDHAR, J

VIBHU BAKHRU, J

JUNE 01, 2016

pkv