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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 5582/2016

KRISHNA INTERNATIONAL

..... Petitioner

Through Mr Priyadarshi Manish and Mrs Anjali
Manish, Advocates.

versus

THE ADDITIONAL DIRECTOR GENERAL
DIRECTORATE OF REVENUE INTELLIGENCE
& ORS.

..... Respondents

Through Mr Vineet Sharma, Advocate for
Mr Satish Aggarwala, Advocate for DRI.
Mr Kamal Nijhawan, Senior Standing Counsel with
Mr Sumeet Gaur, Advocate for R2.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE VIBHU BAKHRU

ORDER

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03.06.2016

1. The challenge in this petition is to a show cause notice ('SCN') dated 21st December, 2012 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 (*Mangli 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 *Mangli 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

JUNE 03, 2016
pkv