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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P. (C) 6449/2016

BANGLA DOM THROUGH: ITS PROPRIETOR Petitioner
Through: Mr. Umang Srivastava and Mr. Piyush
Kumar, Advocates.

versus

ADDITIONAL COMMISSIONER, CUSTOMS
COMMISSIONERATE (EXPORTS) Respondent
Through: Mr. Sanjay Narula, Senior Standing
Counsel for Customs with Mr. Sunil Dalal,
Advocate.

CORAM:
JUSTICE S. MURALIDHAR
JUSTICE NAJMI WAZIRI

ORDER

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26.07.2016

CM No. 26424/2016 (for exemption)

1. Allowed, subject to all just exceptions.

W.P.(C) 6449/2016

2. Notice. Mr. Sanjay Narula, Senior Standing Counsel for Customs accepts
notice.

3. The short question in this petition is regarding the non-consideration, till

date, of the Petitioner's representation of May 2013 regarding non-completion of the adjudication proceedings initiated against the Petitioner by the show cause notice (SCN) dated 29th January 2010. Learned counsel for the Respondent states that if a time bound direction is issued, it will be complied with.

4. It is seen that by an order dated 10th February 2016 the Commissioner of Customs (Appeals) had remanded the matter to the adjudicating authority for "relook and verification" and disposal of the aforementioned SCN of in light of the order passed by this Court in *Commissioner of Customs (Exports) v. Kultar Exports 2013 (288) ELT 187 (Del)*. After the above remand, no further progress appears to have been made in the matter.

5. In the circumstances, the Court directs that the adjudicating authority will pass a fresh order on the SCN dated 29th January 2010 not later than eight weeks from today after giving an opportunity of being heard to the Petitioner. The next date of hearing in the proceedings be intimated to the Petitioner at least one week in advance. If there is non-compliance with the above order, it will be open to the Petitioner to apply to the Court for appropriate directions.

6. The writ petition is disposed of in the above terms.

S. MURALIDHAR, J

NAJMI WAZIRI, J

JULY 26, 2016
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