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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 7939/2016 & C.M.No.32963/2016**

ANIL GADODIA

..... Petitioner

Through: Mr.Pradeep Jain and Mr.Shubhnakar
Jha, Advocates

versus

**ADDITIONAL COMMISSIONER OF CUSTOMS (PREVENTIVE)
NEW CUSTOMS HOUSE NEAR IGI AIRPORT & ANR.**

..... Respondents

Through: Mr.Sanjeev Narula, Sr.Standing
Counsel with Mr.Sunil Dalal and
Mr.Abhishek Ghai for R-1.
Mr.Satish Aggarwala and Mr.Amish
Aggarwala, Advts. for R-2.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

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07.09.2016

The petitioner seeks a direction to the release of its goods as well as cash seized by the respondent on 28.09.2013. A quantity of articles – alleged by the respondent to be red sanders and therefore prohibited for export purpose, were seized along with cash. In this case show cause notice was issued on 28.08.2014. The pleadings also show that the petitioner had replied to the show cause notice and made written submissions on various dates.

Counsel for the respondent submits that it is not clear as to whether the test reports have been made available and further that the DRI has not responded.

It is evident that the seizure occurred on 28.09.2013, almost three years ago. The show cause notice itself was issued over two years back. In the circumstances, it would be appropriate and in the interest of justice that a final order is made by the adjudicating authority. A direction is accordingly issued to complete the proceedings and further grant appropriate hearing to the petitioner and pass final order in the show cause notice proceedings on or before 31.01.2017.

The writ petition along with pending application is disposed of in the above terms.

S. RAVINDRA BHAT, J

DEEPA SHARMA, J

SEPTEMBER 07, 2016

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