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

+ LPA 595/2016

M/S KVS CARGO

..... Appellant

Through: Mr. Priyadarshi Manish with
Ms. Anjali J. Manish, Advs.

Versus

THE COMMISSIONER OF CUSTOMS (GENERAL), NEW
CUSTOMS HOUSE

..... Respondent

Through: Mr. Sanjeev Narula, Sr. Standing
Counsel with Mr. Abhishek Ghai, Adv.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

% **27.10.2016**

CM No.40438/2016 (*exemption*)

Allowed, subject to all just exceptions.

LPA No.595/2016 & CM No.40437/2016 (*stay*)

Having heard the learned counsel for both the parties, we do not find any justifiable reason to interfere with the order under appeal.

As rightly held by the learned Single Judge, the impugned show-cause notice does not give an impression that there is a pre-meditated mind insofar as the action proposed to be taken against the petitioner/appellant herein. Hence, the interference by us is not warranted.

The appeal is accordingly disposed of placing on record the statement of Shri Sanjeev Narula, the learned Senior Standing Counsel for the Central Government appearing for the respondent that the inquiry is yet to be conducted by the Inquiry Officer appointed under the show-cause notice and that the reference to ‘inquiry report’ in Para 26 of the impugned show-cause notice is of no consequence.

CHIEF JUSTICE

SANGITA DHINGRA SEHGAL, J

OCTOBER 27, 2016

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