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

+ **W.P.(C) 11861/2016 & CM No. 46854/2016**

N.N. INTERNATIONAL Petitioner

Through: Mr. Vikas Sareen, Advocate.

Versus

COMMISSIONER OF CUSTOMS ICD, TKD, NEW DELHI & ANR.

..... Respondents

Through: Mr. Harpreet Singh, Senior Standing
Counsel for Respondent No.1.
Mr. Amish Aggarwala, Advocate for
Respondent No.2/DRI.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% 19.12.2016

CM No. 46854/2016 (for exemption)

1. Allowed, subject to all just exceptions.
2. The application is disposed off.

W.P.(C) 11861/2016

3. Issue notice. Mr. Harpreet Singh accepts notice for respondent No.1 while Mr.Amish Aggarwala accepts notice for respondent No.2.
4. The petitioner seeks a direction for provisional release of the goods imported by it under bills of entries No. 6718466 dated 14.09.2016 and 7241568 dated 26.10.2016. The counsel for respondent Custom Authorities submits that the petitioner's request for provisional release is under

consideration and an appropriate order would be made within two weeks. Counsel appearing on behalf of the respondent DRI submits that samples of the imported goods have been drawn and that the reports are awaited and this may be taken into consideration appropriately while issuing directions.

5. Counsel for the petitioner had also submitted that in a sister concern's case [*Alok Packaging Pvt. Ltd. Vs. Commissioner of Customs ICD, TKD, New Delhi & Anr.* (W.P.(C) No.10907/2016)], this Court had on 25.11.2016 directed release of goods, after taking into consideration the pre-deposit made without prejudice to the extent of ₹50 Lakhs.

6. The Court hereby directs the respondents to consider the materials on record and issue a provisional release order, which shall also take note of the amounts deposited without prejudice by the petitioner, if any in the meanwhile, as well as the order in *Alok Packaging (supra)*. The provisional release order shall be made within two weeks from today.

7. The writ petition is disposed off in the above terms.

8. A copy of this order be given *dasti* to the parties under the signatures of the Court Master.

S. RAVINDRA BHAT, J.

NAJMI WAZIRI, J.

DECEMBER 19, 2016

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