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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 8414/2015

DAMAN TRADERS

..... Petitioner

Through: Ms Anjali J. Manish, Mr Rahul Ranjan
and Mr Karan Chawla, Advocates.

versus

THE COMMISSIONER OF CUSTOMS, & ANR. Respondents

Through: Mr Kamal Nijhawan, Senior Standing
Counsel with Mr Sumit Gaur, Advocate.

CORAM:

JUSTICE S. MURALIDHAR

JUSTICE VIBHU BAKHRU

ORDER

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22.01.2016

1. It is seen that a show cause notice (SCN) has been issued on 17th November, 2015 to the Petitioner by the Joint Commissioner of Customs under Section 24 of the Customs Act, 1962 in respect of the Bill of Entry (B/E) in question.

2. In that view of the matter, it is directed that subject to the Petitioner submitting a reply thereto not later than one week from today i.e. 29th January, 2016 the Joint Commissioner of Customs shall adjudicate the said SCN and give a decision thereon not later than two months thereafter.

3. Considering that the goods in question, i.e. the 'used tyres', sought to be imported under the aforementioned B/E have been lying in limbo since 3rd March 2014, without being either detained or seized by the Customs, it will be open to the Petitioner to make an application to the Department for the provisional release of the goods. The said application if made within one week from today shall be considered and decided not later than one month from today and in any event not later than 29th February 2016.

4. The writ petition is disposed of with the above directions.

5. Order *dasti*.

S. MURALIDHAR, J

VIBHU BAKHRU, J

JANUARY 22, 2016

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