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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 11491/2015

PARMESHWAR PRASAD

..... Petitioner

Through: Mr. Pradeep Jain, Advocate.

versus

COMMISSIONER OF CUSTOMS (PREVENTIVE) NEW
CUSTOMS HOUSE & ANR.

..... Respondents

Through: Mr. Satish Aggarwala and Mr. Vineet
Sharma, Advocates for DRI.

Mr. Ruchit for Ms. Sonia Sharma, Senior Standing
counsel for R-1.

CORAM:

JUSTICE S. MURALIDHAR

JUSTICE VIBHU BAKHRU

ORDER

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26.04.2016

W.P.(C) 11491/2015 & CM No. 30425/2015 (for stay)

1. In the counter affidavit it is stated that the case has been adjudicated by the adjudicating authority and an order has been passed on 1st December 2015 confiscating the goods and this was prior to the filing of the present petition on 8th December 2015.

2. Mr. Pradeep Jain, learned counsel for the Petitioner states that till date the Petitioner has not received the copy of the said adjudication order and that it

was passed without affording him an opportunity of being heard.

3. While the Court does not wish to comment on the said submission, it is directed that, without prejudice to the rights and contentions of the parties, the adjudicating authority will, not later than ten days from today and in any event not later than 6th May 2016, deliver to the counsel for the Petitioner a certified copy of the said adjudication order. It will be open to the Petitioner to challenge the said order in accordance with law. As far as the question of delay in filing an appeal is concerned, the above contention of the Petitioner that the Petitioner was not served with the adjudication order earlier than pursuant to the present order will be taken into consideration by the appellate authority.

4. The writ petition and the application are disposed of in the above terms.

S. MURALIDHAR, J

VIBHU BAKHRU, J

APRIL 26, 2016

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