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

+ **CUSAA 7/2017**

COMMISSIONER OF CUSTOMS (ICD) Appellant

Through: Mr. Harpreet Singh, Senior Standing
Counsel with Mr. Suresh Chaudhary,
Advocate.

versus

M/s. GEE DEE INTERNATIONAL & ANR Respondents

Through: Mr. Lokesh Kumar Aggarwal,
Advocate.

+ **CUSAA 8/2017**

COMMISSIONER OF CUSTOMS (ICD) Appellant

Through: Mr. Harpreet Singh, Senior Standing
Counsel with Mr. Suresh Chaudhary,
Advocate.

versus

M/s. HEM CHAND GUPTA AND SONS & ANR Respondents

Through: Mr. G.K. Sarkar, Ms. Malavika Sarkar,
Mr. Prashant Srivastava & Mr. Dhruv
Seth, Advocates.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE CHANDER SHEKHAR

ORDER

% **21.07.2017**

CM No.25228/2017 in CUSAA No.7/2017

CM No.25229/2017 in CUSAA No.8/2017

1. These are applications for condonation of delay in filing the Review Petitions. For the reasons stated in the applications, the delay in filing the Review Petitions is condoned and the applications are allowed.

Review Petition No.273/2017 in CUSAA No.7/2017
Review Petition No.274/2017 in CUSAA No.8/2017

2. These Review Petitions have been filed by the Department seeking review of the order dated 28th April, 2017 passed by this Court dismissing the applications filed by the Department seeking condonation of the inordinate delay of 364 days in filing both the appeals. The reasons for dismissing those applications need not be repeated. The reason for seeking review of that order is that the submission made by the counsel for the Department before this Court on 28th April 2017 that he had no instructions from the Department was apparently contrary to the record. The Department has now produced some e-mails purportedly giving the counsel those instructions.

3. The Court has perused the 'instructions' given by the Department to its counsel. They do not provide any satisfactory explanation for the inordinate delay of 364 days in preferring the appeals. Consequently the Court finds no reason to review the order dated 28th April, 2017.

4. The Review Petitions are accordingly dismissed.

S.MURALIDHAR, J

CHANDER SHEKHAR, J

JULY 21, 2017/b'nesh