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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 1404/2017**

KRISHNA INTERNATIONAL

..... Petitioner

Through: Ms. Priyadarshi Manish, Ms. Anjali
Jha Manish, Mr. Ashutosh Mishra &
Mr. Sagar Rohatgi, Advocates

versus

THE ADDITIONAL DIRECTOR GENERAL
DIRECTORATE OF REVENUE
INTELLIGENCE & ANR.

..... Respondents

Through: Mr. Ajit Sharma & Mr. Mayank
Aggarwal, Advocates
Mr. Satish Aggarwala, Advocate for
DRI

CORAM: JUSTICE S.MURALIDHAR
JUSTICE CHANDER SHEKHAR

ORDER
15.05.2017

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1. There is a circular issued by the Central Board of Excise and Customs dated 3rd January, 2017 on the basis of an opinion of the Solicitor General of India that notwithstanding the pendency of the special leave petition filed by the Respondents in the Supreme Court against the decision of this Court in *Mangli Impex Ltd. v. Union of India 2016 (335) ELT 605(Del)*, the authorities which had issued the show cause notice ('SCN') should proceed with the adjudication proceedings and pass the final adjudication order.

2. Learned counsel for the Respondents assures this Court that within a period of six weeks from today, the final adjudication order on the SCN

issued to the Petitioner will be passed and a copy thereof will be provided to the Petitioner not later than ten days thereafter.

3. In view of the above assurance, the writ petition is disposed of. If there is non-compliance of the above assurance, it will be open to the Petitioner to seek appropriate remedies in accordance with law. It is obvious that the adjudication that will be passed as per the aforementioned terms will be independent of any order passed earlier, which obviously cannot continue once the fresh final adjudication order in terms of this order. is passed. The Petitioner will be afforded one opportunity of hearing prior to the final adjudication order being passed. The date and time of the hearing will be communicated to the Petitioner at least ten days in advance.

4. *Dasti.*

S.MURALIDHAR, J

CHANDER SHEKHAR, J

MAY 15, 2017

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