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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 6492/2016**

CORTEL INDIA Petitioner

Through: Mr. Naveen Malhotra, Advocate

versus

COMMISSIONER OF CUSTOMS & ANR. Respondents

Through: Mr. Sanjeev Narula, Senior Standing
Counsel with Ms. Anumita Chandra,
Advocate for respondent No.1
Mr. Satish Aggarwala, Advocate for
respondent No.2

CORAM: JUSTICE S. MURALIDHAR
JUSTICE CHANDER SHEKHAR

ORDER

% **28.04.2017**

CM No.39580/2016

1. For the reasons stated therein, the application is allowed. The delay of 58 days in filing the counter affidavit on behalf of respondent No.1 is condoned.

WP(C) No.6492/2016

2. The decision of this Court in *Mangli Impex vs. Union of India & Ors., 2016 (335) ELT 605 (Del)* having been stayed by the Supreme Court and with the appeal of the Union of India still pending, it is not possible for the Court to grant relief as prayed for in the present petition.

3. It will be open to the Petitioner to revive the prayer subject to the outcome of the above appeal in the Supreme Court.

4. The petition is dismissed in the above terms.

S. MURALIDHAR, J

CHANDER SHEKHAR, J

APRIL 28, 2017

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