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

+ **W.P.(C) 4122/2017 & CM No.18042/2017**

R.S. WINDLASS & SONS

..... Petitioner

Through: Mr. Balbir Singh, Senior Advocate with
Mr. Jitender Singh, Mr. K.
Gurumurthy, Mr. Anshumaan Sahni,
Mr. Apurv Chandola & Mr. Vaibhav
Sharma, Advocates.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. Abhishek Khanna, Government
Pleader for the UOI/R-1.
Mr. Sanjeev Narula, Senior Standing
Counsel for the Customs with Mr.
Abhishek Ghai, Advocate.
Mr. Aditya Singla, Senior Standing
Counsel for the Directorate of Revenue
Intelligence (DRI)/R-5.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE CHANDER SHEKHAR

ORDER

19.05.2017

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1. This Court has perused the order dated 26th May, 2016 passed by this Court in WP(C) No.4706/2016 filed by the Petitioner earlier. It appears that in terms of the said order inspection of the documents was offered to the Petitioner on 13th October, 2016. A reply was filed by the Petitioner to the show cause notice (SCN) on 5th January, 2017. However, this was termed as a preliminary reply.

2. The grievance of the Petitioner since then is that it has not been permitted inspection of the complete documents and that some more documents, which the Respondents are claiming to be classified', are yet to be provided to it.

3. It is now directed that the Petitioner should submit its final reply on or before 12th June, 2017. The Court is not expressing any opinion on whether all documents as demanded by the Petitioner or available with the Respondent has been furnished or not. It is open to the Petitioner s to write to the Respondent seeking those documents. However, on that score there will be no extension of the deadline of 12th June 2017 for the Petitioner to submit its reply to the SCN. The adjudicating authority will consider the submission of the Petitioner in this regard on merits.

4. Irrespective of whether the Petitioner submits its final reply or not on or before 12th June 2017, the adjudicating authority will proceed with the adjudication and pass the final adjudication order on or before 31st July, 2017. A copy of the adjudication order will be furnished to the Petitioner not later than 10 days thereafter.

5. Both parties will cooperate in ensuring that the adjudicating authority complies with the above directions and not seek unnecessary adjournments. This order is without prejudice to the rights and contentions of the parties in the adjudicating proceedings.

6. The petition and the application are disposed of.

S.MURALIDHAR, J

MAY 19, 2017
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CHANDER SHEKHAR, J