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

+ **W.P.(C) 10463/2017**

TREND CERAMICS AND ANR. & ANR. Petitioner
Through Mr. Manish Sharma and Mr. P.R.
Singh, Advocates.

versus

THE COMMISSIONER OF CUSTOMS (PREVENTIVE) ..Respondent
Through Mr. Amit Bansal and Mr. Akhil
Kulshrestha, Advocate.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MS. JUSTICE PRATHIBA M. SINGH

ORDER

% **28.11.2017**

On the last date of hearing, we had passed the following order:-

“We have heard learned counsel for the petitioners and the respondent and are *prima facie* not inclined to interfere with the impugned order. At this stage, counsel for the petitioners states that time may be granted for payment of the remaining amount as per findings of the Settlement Commission. Counsel for the petitioners prays for some time to obtain instructions. Counsel for the respondent would also obtain instructions.

Re-list on 28th November, 2017.”

Counsel for the petitioner has obtained instructions and states that due to financial difficulty, the petitioners would request for time upto 31st December, 2017. It is pointed out that petitioner No.2 is presently employed.

The order passed by the Settlement Commission is dated 7th September, 2017. Almost 90 days have passed since then, but payment in terms of the order has not been made.

However, in view of the prayer made we would grant last opportunity to the petitioners to make payment in terms of paragraph 22 of the order of the Settlement Commission by 31st December, 2017. The petitioner would, however, be liable to pay interest @ 18% per annum from the period commencing 7th October, 2017 till payment. The interest would be payable on the amount which is still due and payable in terms of the order passed by the Settlement Commission including the remaining penalty amount. In case of default in payment, consequences as stipulated in the order passed by the Settlement Commission and as per law would come into play and apply.

The writ petition is disposed of.

Dasti.

SANJIV KHANNA, J.

PRATHIBA M. SINGH, J.

NOVEMBER 28, 2017

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