

\$~25

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

+ **W.P.(C) 10469/2017 & CM APPL. 42781/2017 (Stay)**

THE COMMISSIONER OF CUSTOMS Petitioner

Through : Mr. Harpreet Singh, SSC for
Customs.

versus

NAVNEET BHOLA

..... Respondent

Through : None.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MS. JUSTICE PRATHIBA M. SINGH

ORDER

% **24.11.2017**

The impugned order passed by the Settlement Commission is dated 18th May, 2015.

2. The present writ petition is filed after more than two years on or about 22nd November, 2017. There is no explanation or reason given in the writ petition for the said delay and laches. It is also apparent that the respondent would have paid the amount in terms of the orders passed by the Settlement Commission and the gold would have been released long time back. Even otherwise, as per Section 125 of the Customs Act, 1962, the respondent would be entitled to make payment of redemption fine and ask for release.

3. In these circumstances, we are not inclined to exercise our jurisdiction as the writ is clearly belated, having been filed after more than 2 years of the passing of the impugned order.

4. We clarify that we are not making any observation on the jurisdiction

of the Settlement Commission.

5. The writ petition is accordingly, dismissed on the ground of delay and laches.

SANJIV KHANNA, J.

PRATHIBA M. SINGH, J.

NOVEMBER 24, 2017

j