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

+ W.P.(C) 1576/2018 and CM Nos. 6502-6502/2018

RAHUL SRIVASTAVA

..... Petitioner

Through

Mr. Narender Singh and Mr. Sanjay
Dubey, Adv.

versus

UNION OF INDIA & ORS.

..... Respondents

Through

Mr. Amit Bansal, Sr. Standing
Counsel for R-1

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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20.02.2018

The petitioner has made various factual allegations and assertions in the writ petition against second, third and fourth respondents. However, the petitioner has not denied and accepts his signatures on the various forms including the bank account.

The prayer in the writ petition is for quashing of notice dated 13.10.2017, issued by the Commissioner of Customs (Export) which states that an amount of Rs.1,53,26,098/- has to be recovered and is outstanding against M/s Rayon Enterprises, which as per papers is a sole proprietorship of the petitioner.

As recorded above, the petitioner states that he was fraudulently made to sign documents, part with identity paper etc.

Learned counsel for the petitioner has also stated that the

petitioner wants an opportunity for personal hearing.

We would not examine and decide factual disputes, when the matter is pending before the Adjudicating Authority. Show Cause Notice has been issued and petitioner has a right and opportunity to plead and present his stand and stance.

In view of the above, we are not inclined to interfere and stall proceedings pursuant to the show cause notice. Accordingly, the writ petition is dismissed. We clarify that we have not commented on merits.

SANJIV KHANNA, J

CHANDER SHEKHAR, J

FEBRUARY 20, 2018

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