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

+ **W.P.(C) 5008/2018 and CM APPL. 19285/2018**

JAGJEET IMPEX Petitioner
Through Mr. Ashish Batra, Adv.

versus

ASSISTANT COMMISSIONER OF CUSTOMS Respondent
Through Mr. Harpreet Singh, Sr. Standing
Counsel with Mr.Suresh Chaudhary,
Adv.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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09.05.2018

Learned counsel for the petitioner relying upon the Order-in-Original dated 28.02.2018 states that an application seeking refund has been filed, but payment/refund order has not been issued.

Learned counsel for the respondents who appears on an advance notice states that the refund application was filed on 14.03.2018 and as per under Section 27A of the Customs Act, 1962 interest would be payable if refund is not granted within 90 days from the date of filing of the application.

Further Order-in-Original can be challenged by way of an appeal within a period of 60 days and Appellate Authority has the right to condone the delay upto a period of 30 days. The said period has also not expired.

We dispose of the present writ petition observing that the same

would be treated as representation made by the petitioner for expeditious disposal of the application for refund.

We clarify that we have not issued any direction or made any observation or commented on the merits. In case there is delay in the refund it will be open to the appellant to ask for the revival of the present writ petition.

Dasti under signature of the Court Master.

SANJIV KHANNA, J

CHANDER SHEKHAR, J

MAY 09, 2018

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