

\$~34

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

+ **W.P.(C) 9901/2018**

UNITED SANITATIONS Petitioner

Through: Mr. Pradeep Jain, Adv.

versus

COMMISSIONER OF CUSTOMS Respondent

Through: Mr. Sanjeev Narula with
Mr. Abhishek Ghai, Advs. for UOI.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

% **19.09.2018**

CM APPL. 38568/2018(exemption)

Allowed, subject to all just exceptions.

W.P.(C) 9901/2018

Issue notice.

Mr. Sanjeev Narula, Advocate accepts notice on behalf of the respondent.

The petitioner seeks a very limited relief of restoration of his Revision Petition which was rejected on an extremely narrow procedural ground i.e. non-payment of Rs.1,000/- as filing fee.

Having regard to the circumstance that the merits of the Revision Petition (before the concerned appropriate authority under Section 129DD of the Customs Act, 1962) were not considered but rejected on the ground of non-receipt of registration fee, this Court is of the opinion that the larger interest of the justice requires that there

should be an adjudication of this Revision Petition.

Consequently, the matter is remitted for fresh consideration to Revisionary Authority, Government of India; the petitioner shall at the same time ensure that the requisite filing fee of Rs.1,000/- is filed within a week. On the deposit so made, the Revisionary Authority shall consider the revision petition under Section 129DD on its merits.

The Writ Petition is allowed and disposed of accordingly.

S. RAVINDRA BHAT, J

A. K. CHAWLA, J

SEPTEMBER 19, 2018
ak