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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 7983/2018**

GEETA VINAY IMPEX Petitioner
Through : Ms. Anjali. J. Manish and Sh. Sagar
Rohatgi, Advocates.

versus

**THE DEPUTY COMMISSIONER OF CUSTOMS (IMPORT) &
ANR.** Respondents
Through : Sh. Amit Bansal, Sr. Standing Counsel
with Sh. Akhil Kulshrestha, Advocate.

CORAM:
HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MR. JUSTICE P.S. TEJI

% **ORDER**
01.08.2018

Issue notice. Sh. Amit Bansal, Sr. Standing Counsel accepts notice.

The petitioner seeks a direction for the release of its goods imported on 17.11.2017. It is contended that on the basis of the Directorate of Revenue Intelligence's (DRI) alert, the articles were neither seized nor allowed to be cleared and that the seizure was made much later. The documents on the record show that the seizure was made on 28.11.2017, whereas the Show Cause Notice (SCN) in this case was issued on 23.05.2018. The SCN discloses that apart from the proposed confiscation of one item, the importer is alleged to have misdeclared its goods and depressed its value in regard to various

items. In these circumstances, the claim for release of goods in part or wholly cannot be entertained.

All rights and contentions of the petitioner in the proceedings pursuant to notice under Section 124 of the Customs Act are reserved.

It is open to the petitioner to move for provisional release of the goods; in case of receipt of such application, the concerned authority shall pass appropriate orders within two weeks of receipt of that application. All rights and contentions of the parties, including that of the petitioner are reserved. The writ petition is accordingly disposed of.

Order *dasti*.

S. RAVINDRA BHAT, J

P.S. TEJI, J

AUGUST 01, 2018/ajk