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

+ W.P.(C) 10570/2018 & CM APPL. 41216/2018

NIKUNJ SALES THROUGH ITS PROPRIETOR Petitioner
Through : Ms. Vidushi Shubham, Adv.

versus

COMMISSIONER OF CUSTOMS (IMPORT) ... Respondent
Through : Mr. Harpreet Singh, Sr.
Standing Counsel with Ms.
Suhani Mathur, Adv.

CORAM:
HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MR. JUSTICE A. K. CHAWLA

% **ORDER**
05.10.2018

Issue notice to the respondents.

Mr. Harpreet Singh, Senior Standing Counsel accepts notice on behalf of the respondent.

The petitioner seeks a direction for release of the bank guarantee for Rs.4,00,000/-, which it had furnished, in compliance with the conditions imposed at the stage of provisional release of the seized goods. According to the petitioner, the issue was the subject matter of proceedings before the Settlement Commission which ultimately accepted its plea. In terms of the order dated 30.12.2013 of the Settlement Commission, customs duty and other dues have been paid.

Considering the limited nature of the relief and given that the customs duty was paid, in terms of the Settlement Commission's order, at the outset, this court is of the opinion that the petitioner is entitled to the relief claimed. A direction is issued to the respondent to release the bank guarantee furnished by the petitioner within two weeks from today. The petitioner's representatives shall be present before the concerned authority on 15.10.2018.

This writ petition is allowed in the above terms. Pending application stands disposed of.

Dasti under signatures of the Court Master.

S. RAVINDRA BHAT, J

A. K. CHAWLA, J

OCTOBER 05, 2018

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