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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 19.11.2018

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W.P.(C) 11712/2018 and CM No.47921/2018

FAHIMUDDIN

..... Petitioner

Through : Ms. Sangita Bhayana, Adv.

versus

UNION OF INDIA & ORS.

..... Respondents

Through : Ms. Abha Malhotra and Mr.
Abhishek Kamal, Adv.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE PRATEEK JALAN

S.RAVINDRA BHAT, J. (ORAL)

1. Issue notice to the respondents.
2. Ms. Abha Malhotra, Advocate accepts notice on behalf of the respondents.
3. With the consent of counsel for the parties, this petition was heard finally.
4. The petitioner had sought quashing of an order which required deposit of ₹2,75,000/- as redemption fine; ₹1,00,000/- as penalty and ₹2,21,547/- (i.e. 38.5%) as customs duty. The imposition of these liabilities was on account of a quantity of goods imported by the petitioner. Although the nature of the relief claimed was wide, after obtaining instructions, learned counsel submitted that the liability is not disputed but that the time granted to pay the amounts should be

extended.

5. This court has heard counsel for the parties and is of the opinion that the relief claimed in this case is limited and can, under the circumstances, be granted. In case, the petitioner deposits the amount adjudicated and directed, within two months from today i.e. not later than 18.01.2019, the goods shall be released. In the event, the amount is not deposited on or by that date, it is open to the respondent/custom authorities to take action in respect of the seized goods in accordance with law.

6. This petition and application are disposed of in the above terms.

7. The date of 22.01.2019, already fixed in the matter stands cancelled.

Order *dasti* under signatures of the Court Master.

S. RAVINDRA BHAT, J

PRATEEK JALAN, J

NOVEMBER 19, 2018

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