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

+ **W.P.(C) 9477/2017**

**RANGOLI INTERNATIONAL PVT LTD. (EARLIER KNOWN AS
RUNFLAT OVERSEAS PVT LTD) Petitioner**

**Through: Mr. A.K. Prasad, Mr. Priyanka Goel, Mr.
Surabhi Sinha, Advs.**

versus

UNION OF INDIA & ORS. Respondents

**Through: Mr. Satish Aggarwal, Sr. Standing Counsel
and Mr. Vineet Sharma, Adv. for R-2/DRI.**

Mr. Amit Bansal, Mr. Akhil, Advs. for R-3/Customs

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

% 23.07.2018

The petitioner is aggrieved by the prolonged delay in the adjudication for its duty drawback and DEPB drawback claims. The petitioner's goods including the DEPB, various documents were seized on 11.11.2009, on suspicion of over-invoicing. After considerable delay, show cause notice was issued by the DRI in respect of eight shipping bills. These were adjudicated upon and apparently orders made on 19.07.2018, thereby rejecting the petitioner's case.

The petitioner's surviving grievance is with respect to the past transactions and the drawback claims pending with the respondents. It is submitted that with the seizure of all relevant documents and copies of invoices, bank statements etc., it is unable to pursue the claim

for drawback in respect of 24 shipping bills reflecting past consignments.

Having regard to the submissions of the parties, the following directions are made:

1. The respondent No.2/DRI shall – within 2 weeks from today, furnish certified copies of all documents (invoices of shipping documents, accounts and any other document) seized on 11.11.2009. The copies of these documents shall be duly authenticated while supplying them to the petitioner.
2. In the event of receiving these documents, the petitioner shall substantiate its claim for the past 24 drawback periods and also establish repatriation of foreign currency. In this regard, the third respondent is hereby directed to ensure and co-operate with the petitioner in procuring all relevant documents with the concerned bank authorities.
3. The third respondent shall pass appropriate orders after due verification having regard to all circumstances with respect to such past 24 drawback claims, within two months from today.

As regards the adjudication order made on 19.07.2018, it is open to the petitioner to challenge the findings of the Adjudicating Authority dated 19.07.2018, in accordance with law.

The writ petition stands disposed of in the above terms.

All rights and contentions of the parties are reserved.

Order *dasti* under signatures of the Court Master.

S. RAVINDRA BHAT, J

JULY 23, 2018/akv

A. K. CHAWLA, J