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

+ **W.P.(C) 11024/2017**

DIESEL GARAGE

..... Petitioner

Through Mr. Pradeep Dhariwal, Adv.

versus

THE COMMISSIONER OF CUSTOMS(IMPORT) ICD,
TUGHLAKABAD, NEW DELHI & ORS.

..... Respondents

Through Mr. Sanjeev Narula, SSC for customs.

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W.P.(C) 11025/2017

AUTO ZONE IMPEX PVT. LTD

..... Petitioner

Through Mr. Pradeep Dhariwal, Adv.

versus

THE COMMISSIONER OF CUSTOMS(IMPORT), ICD,
TUGHLAKABAD, NEW DELHI & ORS.

..... Respondents

Through Mr. Sanjeev Narula, SSC for customs.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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11.07.2018

The writ petitioners seeks a direction that the goods detained by Panchnama dated 5.9.2017 ought to be released unconditionally.

The petitioners' grievance is that despite the filing of appeal, no formal order was made and nor were the goods released.

After the notice was issued, the revenue stated in its counter affidavit that the goods were released provisionally under Section 110A of the Customs Act, 1962 by an order of 23.02.2018, subject to

conditions. That order is appealable. In these circumstances, the petitioner is at liberty to approach the concerned appellate authority/commissioner and pay the minimum amount due. In the event the petitioners approach the commissioner in the appeal within two weeks from today, the commissioner shall adjudicate upon the appeal as expeditiously as possible, preferably, within six weeks thereafter.

The petitions stand disposed of accordingly.

S. RAVINDRA BHAT, J

A. K. CHAWLA, J

JULY 11, 2018

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