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

+ W.P.(C) 2317/2019

ANIL KUMAR LANGAN & ORS. Petitioners

Through: Ms.Anjali J. Manish, Mr. Priyadarshi
Manish and Mr. Ritaj Kacker,
Advocates.

versus

THE ADDITIONAL DIRECTOR GENERAL,
DIRECCTORATE OF REVENUE
INTELLIGENCE & ANR.

..... Respondents

Through: Mr. Satish Agarwala, Adv. for DRI.
Mr.Harpreet Singh, Sr.Standing
Counsel for R-2.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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23.04.2019

1. Pursuant to the previous order of the Court dated 8th March, 2019, the respondents appear to have rejected the request for provisional release of the goods by an order dated 12th April, 2019.

2. The petitioners have claimed three reliefs. The first is with respect to a direction to decide the request for provisional release. In view of the order dated 12th April, 2019, this claim cannot be accepted. However, at the same time, this Court is of the opinion that a show cause notice which was issued to the petitioners should be adjudicated finally, given that it has been pending for almost one year, reply to which has been filed. In the circumstances, the Additional Commissioner (Customs) is hereby directed to conclude the

proceedings and pass an order on the pending Show Cause notice within ten weeks from today. All rights and contentions of the parties are reserved.

3. As far as the release of the goods, which are mentioned in paragraph 27.2(x) of Show Cause Notice No.85/2018 dated 26.04.2018, this Court notices that no confiscation was proposed in the show cause notice. In these circumstances, the goods shall be released to the petitioners within two weeks.

4. The third relief claimed is that the original arms licences bearing Nos. WDPB/4/1989/203, WDMW/3/2012/1 and WDPV/6/2012/46 ought to be released and a direction in that regard is sought. In response, the Revenue contends that the Joint Commissioner of Police by an order dated 29th March, 2019 has mentioned about a show cause notice proposing cancellation of these licences and further, at the same time, directed suspension of the licences. Given these circumstances, this Court is of the opinion that as on date, the arms licences have not yet been cancelled though placed under suspension. The licences, therefore, shall be released to the petitioners within two weeks. At the same time, notice of the date and time of release shall also to be issued to Joint Commissioner, Delhi Police (Licensing Unit) for information and suitable action with respect to the custody of the weapons/articles to be released.

5. The writ petition is disposed of in the above terms.

6. Dasti.

S. RAVINDRA BHAT, J

PRATEEK JALAN, J

APRIL 23, 2019

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