

\$~69

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

+ W.P.(C) 4857/2019

SANJEEV MAGGU

..... Petitioner

Through: Mr Naveen Malhotra and Mr Akhil
Krishan Maggu, Advocates.

versus

ADDITIONAL COMMISSIONER OF
CUSTOMS

..... Respondent

Through: Mr Harpreet Singh, Sr. Standing
Counsel for respondent with Ms
Suhani Mathur, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

%

06.05.2019

CM No.21587/2019

1. Allowed, subject to all just exceptions.

W.P.(C) 4857/2019 & CM No.21586/2019

2. Issue notice. Learned counsel appearing for respondent accepts notice.

3. The petitioner has filed the present petition, *inter alia*, praying that directions be issued to the Adjudicating Authority of the respondent to allow his prayer for cross-examination of witnesses, whose statements are relied upon by the Adjudicating Authority.

4. The proceedings pending before the respondent relate to a show cause notice dated 05.07.2018. It is seen from the show cause notice that the

statement of various persons have been relied upon. In this context, the petitioner had filed an application, *inter alia*, seeking cross-examination of certain persons. The petitioner's grievance is that the respondent is proceeding to adjudicate the show cause notice on merits without considering the petitioner's application for permitting the cross-examination.

5. In view of the above, the present petition is disposed of by directing the respondent to consider the petitioner's application for cross-examination of certain persons named in his application. The respondent shall either allow the cross-examination of the said witnesses or pass a speaking order indicating the reasons for denying the same.

6. Needless to state that the said order would be passed before proceeding further with the matter.

7. Order *dasti* under signatures of the Court Master.

VIBHU BAKHRU, J

MAY 06, 2019
MK