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

+ **W.P.(C) 10285/2018**

MOHD KASHIF

..... Petitioner

Through: **Ms.Sangit Bhayana, Advocate**

versus

UNION OF INDIA & ORS.

..... Respondents

Through: **Mr.Satish Aggarwala, Sr.Std.Counsel
for R-2 & R-3**

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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14.01.2019

CM Appl. 40123/2018

Exemption allowed, subject to all just exceptions.

The application is disposed of.

W.P.(C) 10285/2018

1. Issue notice. Mr.Satish Aggarwala, Sr.Std.Counsel accepts notice.
2. The petitioner had sought quashing of the orders passed by the customs authorities contending that the quantum of redemption fine/penalty was excessive.
3. This Court on 28th September, 2018, passed an order provisionally modifying the amount of payment by directing a lower payment [₹3 lakhs], as an interim redemption fine. It appears that the seized gold has been disposed of even before the order of this Court, as confiscation orders were intact and the redemption fine had not been paid. The petitioner has on

account of these developments applied for refund of certain amounts. The respondents shall process the application of the petitioner for refund, in accordance with law and dispose it of by an order, on or before 28th February, 2019.

4. The writ petition is disposed of in the above terms.
5. Copy of the order be given *dasti*.

S. RAVINDRA BHAT, J

PRATEEK JALAN, J

JANUARY 14, 2019

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