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

+ **W.P.(C) 14061/2018**

YOGESH THAPAR THOROUGH GPA RAJNI SONI Petitioner
Through: **Mr. Shafiq Khan, Mr. Ramesh Chahal**
& Mrs. Sundri Rawat, Advs.

versus

PRINICIPAL COMMISSIONER & ADDL. SECRETARY
(MINISTRY OF FINANCE) & ORS. Respondents
Through: **Mr. Amit Bansal, Ms. Seema Dolo,**
Ms. Titasha Banerjee, Advs. for R-1
& 2.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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08.01.2019

CM APPL. 54856/2018(exemption)

Exemption allowed, subject to all just exceptions.

The application is disposed of.

W.P.(C) 14061/2018

Issue notice. Mr. Amit Bansal, Advocate accepts notice.

The petitioner's grievance is that the appeal to the Commissioner was rejected on the account of petitioner's failure to pre-deposit the mandatory amount (7.5% of the liability imposed). The petitioner's revision too was rejected. Having regard to the limited nature of the relief claimed, the Court is of the opinion that if the petitioner deposits the amount with the Appellate

Authority i.e. Commissioner of Customs (Appeal) within four weeks, the appeal should be revived and heard on its merit.

The writ petition is allowed on the above terms.

Dasti.

S. RAVINDRA BHAT, J

PRATEEK JALAN, J

JANUARY 08, 2019

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