

\$~17

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

Date of decision: 28th February, 2020

+ W.P.(C) 12188/2019 and CM Appl. No. 53288/2019

M/S R. K. ENTERPRISES Petitioner

Through: Dr. G.K. Sarkar, Adv.

versus

COMMISSIONER OF CUSTOMS,
NEW CUSTOMS HOUSE, NEAR IGI AIRPORT. Respondent

Through: Mr. Amit Bansal, SSC with Mr. Aman
Rewaria and Ms. Vipasha Mishra,
Advs.

Mr. Rishi Aggarwal, Mr. Karan
Luthra and Ms. Aarushi Tiku, Advs.
for intervener

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

%

28.02.2020

D.N. PATEL, CHIEF JUSTICE (ORAL)

W.P.(C) 12188/2019

1. This writ petition has been preferred with the following prayers:

“(i) Issue an appropriate Writ/ Direction directing the Respondent to allow export of subject goods without any further delay;

(ii) Issue detention certificate for the period of holding up of goods; and

(iii) Pass any other order(s) or direction(s) which this Hon'ble

Court may deem fit and proper in favour of petitioner.

2. Having heard learned counsel of both the sides and looking to the facts and circumstances of the case, it appears that respondents have already issued a seizure memo dated 23rd January, 2020, a copy whereof is tendered before this Court, which is taken on record. A copy of the seizure memo dated 23rd January, 2020 is also supplied to the counsel for the petitioner.

3. In view of the aforesaid seizure memo dated 23rd January, 2020, there is no substance in this writ petition. Petitioner is at liberty to prefer an application for release of the goods, in accordance with law, before the appropriate forum. As and when such application is preferred, the same will be decided by the respondent, in accordance with law, rules, regulations and Government policies as applicable to the facts of the present case.

4. With these observations, this writ petition is hereby disposed of.

CM Appl. No. 53288/2019

1. In view of the order passed in the writ petition, this application is disposed of.

CHIEF JUSTICE

C.HARI SHANKAR, J.

FEBRUARY 28, 2020

r.bararia