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

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W.P. (C) 3694/2020

M/S COSMOPOLITAN TECHNOFAB PVT. LTD.

..... Petitioner

Through : Mr. Prem Ranjan Kumar, Advocate.

versus

THE DEPUTY COMMISSIONER OF CUSTOMS & ANR.

..... Respondents

Through: Mr. Harpreet Singh, Sr. Standing  
Counsel for R-1/Customs Department.

Mr. Satish Aggarwala, Sr. Standing Counsel with  
Mr. Gagan Vaswani, Advocate for R-2/DRI.

**CORAM:**

**HON'BLE MS. JUSTICE HIMA KOHLI**

**HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD**

**ORDER**

**% 06.07.2020**

**HEARD THROUGH VIDEO CONFERENCING.**

1. Pursuant to our order dated 29.6.2020, an order dated 01.7.2020 has been passed by the Dy. Commissioner of Customs whereunder, a sum of Rs.5,74,292/- has been sanctioned in favour of the petitioner along with interest calculated @ 6%, totalling to a sum of Rs.46,636/- . Learned counsel for the petitioner confirms that the aforesaid amount has been deposited electronically in the account of the petitioner.
2. We may note that despite a categorical stand taken by the respondent No.2/DRI, the order dated 01.7.2020 still records that the letter dated 19.3.2020, dispatched by the DRI to the Customs Department was not available on the file till an order came to be passed in the present proceedings.

3. The aforesaid stand of the respondent/Customs Department has already been turned down by this court on the last date of the hearing in the light of the fact that the aforesaid letter dated 19.3.2020 was dispatched by the respondent No.2/DRI to the Customs Department through speed post and there was no reason for this Court to disbelieve the documents filed by the DRI as proof of dispatch.

4. The present petition is accordingly disposed of while granting litigation expenses in favour of the petitioner to the tune of Rs.10,000/-, to be remitted into the account of the petitioner through RTGS, within one week from today.

**HIMA KOHLI, J**

**SUBRAMONIUM PRASAD, J**

**JULY 06, 2020**

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